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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE January 9, 2006	CONTACT/PHONE Michael Conger (805) 781-5136	APPLICANT Frank and Cora Hilton	FILE NO. CO 03-0264 S030032P				
SUBJECT Request by Frank & Cora Hilton for a Tentative Parcel Map to subdivide an existing 10.07 acre parcel into two parcels of 5.037 acres each for the purpose of sale and/or development. The proposed project is within the Residential Rural land use category and is located at 2082 Heidi Place (north side), approximately 800 feet northwest of Zenon Way. The project site is located approximately one-half mile west of the village of Los Berros in the South County planning area.							
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Tentative Parcel Map CO 03-0264 based on the findings listed in Exhibit A and the conditions listed in Exhibit B							
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 13, 2005 for this project. Mitigation measures are proposed to address biological resources, cultural resources, wastewater, and water, and are included as conditions of approval.							
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 075-241-029	SUPERVISOR DISTRICT(S) 4				
PLANNING AREA STANDARDS: Setbacks, Landscaping							
LAND USE ORDINANCE STANDARDS: Minimum Parcel Size, Minimum Site Area, Setbacks, Secondary Dwellings							
EXISTING USES: Single family residence, secondary residence							
SURROUNDING LAND USE CATEGORIES AND USES: <table style="width: 100%; border: none;"><tr><td style="width: 50%;"><i>North:</i> Residential Rural / scattered residences</td><td style="width: 50%;"><i>East:</i> Residential Rural / scattered residences</td></tr><tr><td><i>South:</i> Residential Rural / scattered residences</td><td><i>West:</i> Residential Rural / scattered residences</td></tr></table>				<i>North:</i> Residential Rural / scattered residences	<i>East:</i> Residential Rural / scattered residences	<i>South:</i> Residential Rural / scattered residences	<i>West:</i> Residential Rural / scattered residences
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<i>South:</i> Residential Rural / scattered residences	<i>West:</i> Residential Rural / scattered residences						
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, County Parks, CDF, Nipomo Community Services District, APCD							
TOPOGRAPHY: Nearly level to gently sloping		VEGETATION: Grasses, oaks, eucalypti, forbs, pismo clarkia					
PROPOSED SERVICES: Water supply: Shared well Sewage Disposal: Individual septic system Fire Protection: CDF/County Fire		ACCEPTANCE DATE: June 10, 2005					
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>							

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property, and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	3.5 miles from the Nipomo urban reserve line	5 acres
Fire Hazard/ Response Time	Outside the 15 minute response time In the High fire hazard area	5 acres
Access	Located on a 40 foot right-of-way ⁽¹⁾	5 acres
Slope	Average slope is between 0 and 15%	5 acres

Note 1 – Project is located on Heidi Way, 40 feet of which was offered on Map CO 71-100, 8 PM 11 (24 Mar 1972).

Minimum Site Area

The proposed lots meet the minimum site area requirements for single family residential use.

Setbacks

The existing structures on this site conform to the required setbacks shown in the Land Use Ordinance. These setbacks are as follows: Front – 25', Sides – 30', Rear – 30'.

Secondary Dwellings

Secondary dwellings are allowed uses within the Residential Rural land use category subject to special use standards. The area proposed for Parcel A currently has a primary single family residence and 1,200 square-foot secondary unit. As proposed, Parcel A is 5.01 net acres, which is a sufficient size to meet the secondary unit standards for a 1,200 square foot unit. As proposed, the parcel map is consistent with secondary dwelling standards.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

Title 21 Parcel Design Standards require that the average parcel depth be no more than three times the average parcel width. The applicant has requested an adjustment of this standard. The requested adjustment is described in more detail in the *Adjustments* section of this report. The size and configuration of the proposed parcels are designed to encourage efficient utilization of the land. As proposed, with the requested adjustment, the parcels are consistent with the design criteria set forth in Chapter 3 of the Real Property Division Ordinance.

Road Improvements

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is in response to the potential for further divisions and development in the site vicinity. As a result of this review, both an offer of dedication and road improvements are recommended as a means of providing appropriate access and circulation for this area.

PLANNING AREA STANDARDS:

Setbacks

New subdivisions in the Residential Rural category shall provide an 80-foot front setback. As proposed and conditioned, the project meets this standard.

Landscaping

Existing vegetation shall be retained and incorporated as much as feasible into the subdivision design. The proposed project includes open space areas designed to protect Pismo clarkia habitat. Additionally, the applicant has agreed to mitigation measures designed to minimize impacts to oak tree habitats. As proposed and conditioned, the project meets this standard.

ADJUSTMENTS:

Parcel Depth-to-Width Ratio Adjustment

The applicant has requested an adjustment to the parcel design standards of Title 21 to allow Parcels A and B to exceed the maximum 3:1 depth-to-width ratio. The Real Property Division Ordinance allows adjustment of this standard when a special circumstance exists and the following findings can be made:

That there are special circumstances or conditions affecting the property being subdivided

The applicant has demonstrated that special circumstances exist that necessitate the granting of this adjustment. A large portion of the site contains Pismo clarkia, a federally endangered species. The applicant has proposed an open space easement and agreed to mitigation measures designed to reduce the impacts below a significant level. The open space easements reduce the developable area on each parcel.

That the granting of the adjustment will not have a materially adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision

The proposed parcel map was referred to several agencies including CDF/County Fire, Environmental Health, Air Pollution Control District, and the Nipomo Community Advisory Council. Recommended measures have been carried forward as conditions of approval. This parcel map has also been reviewed for consistency with the Safety Element of the General Plan during the environmental review process. Impacts to safety (i.e. air quality, geology, hazardous materials, public services, water, etc.) were found to be insignificant after the incorporation of mitigation measures.

That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision

The project site is located in a residential area composed of large lots with scattered single-family residences. The proposed project is a residential subdivision, which is consistent with the development patterns of the surrounding neighborhood. As conditioned with the adjustment, the project meets all standards of the Land Use Ordinance and Real Property Division Ordinance. Through the environmental review process, no significant impacts to land use consistency were identified.

STAFF COMMENTS:

Open Space Easements - Clarification

As part of this project, two open space easements are proposed on each parcel. Easement A (Parcel A) and Easement B (Parcel B) are designed specifically for the protection of the Pismo clarkia habitat. In accordance with the Department of Fish and Game's recommendations, these easements may be grazed and mowed between September and March. Easement C (Parcel A) and Easement D (Parcel B) are traditional open space easements, and are not part of the protected Pismo clarkia habitat areas. Grazing is not restricted on these easements. See the exhibit marked "Open Space Easements" for locations of the easements.

COMMUNITY ADVISORY GROUP COMMENTS:

This project was referred to the Nipomo Community Advisory Committee (NCAC) on July 28, 2003. A recommendation of approval for the project was placed on the consent agenda for the September 22, 2003 meeting. The NCAC subsequently approved the consent agenda.

AGENCY REVIEW:

Public Works – Recommends approval, with the attachment of stock conditions.

Environmental Health – Approves project for subdivision map processing, with the attachment of stock conditions. Environmental Health also requests that the applicant supply evidence of adequate potable water for each parcel and modify the shared well agreement prior to filing the final map.

County Parks – The applicant shall pay Quimby and Building Division fees.

CDF/County Fire – A fire safety letter dated August 21, 2003 was provided.

Air Pollution Control District – Provided a letter dated August 6, 2003. The letter noted that the project falls below emissions significance thresholds, and cited concerns relating to the fracturing of rural land.

Department of Fish and Game – Pismo clarkia populations should be avoided and placed in a fenced open space easement. The existing dirt road can continue to be used, and mowing/grazing can occur in the easement area between September 1 and March 1. A 2081 Permit is required for take.

Nipomo Community Services District – Project is outside of the District. Santa Maria Groundwater Adjudication may affect water availability for this project.

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map (CO86-008), recorded November 13, 1989 in Book 46, Page 6 of Parcel Maps.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 13, 2005 for this project. Mitigation measures are proposed to address biological resources, cultural resources, wastewater, and water, and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels each contain adequate area for development of a single family unit and secondary unit.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because mitigation measures, including the incorporation of an open space easement, have been proposed, and will reduce potential impacts to sensitive biological habitats below the threshold of significance.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Road Improvements

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

Adjustments

- K. That there special circumstances or conditions affecting the subdivision because a significant portion of the site will be dedicated to open space easements designed to protect Pismo clarkia (federally endangered) habitat limiting the amount of area available for development.
- L. That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because the project will be required to meet county standards for health and safety.
- M. That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision because the modified depth to width ratio, along with the open space easements, will not result in a parcel design that adversely impacts surrounding properties, nor will it affect the public's ability to use and benefit from future development of the property.

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CONDITIONS - EXHIBIT B

CONDITIONS OF APPROVAL FOR CO03-0264

Approved Project

1. This Tentative Parcel Map approval authorizes the division of a 10.07 acre parcel into two parcels of 5.037 acres each.
2. An adjustment to the 3:1 depth-to-width ratio established in the Parcel Design Standards of Title 21 is granted pursuant to Section 21.03.020 of the Real Property Division Ordinance.

Access and Improvements

3. Roads and/or streets to be constructed to the following standards:
 - a. Heidi Place constructed to a $\frac{2}{3}$ A-7(c) gravel section within a minimum 45-foot dedicated right-of-way fronting the project site.
 - b. Heidi Place constructed to a $\frac{2}{3}$ A-7(c) gravel section from the property to a public maintained road (minimum improved width to be 18 feet).
4. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. For future road improvement a variable width feet along Heidi Place to be described as 25 feet from a center line curve of 510 foot radius at the angle point in the road at the southwesterly property corner.

Improvement Plans

5. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Grading and erosion control plan for subdivision related improvement locations.
 - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
6. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

7. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Design

8. The lots shall be numbered in sequence.
9. The lot area of Parcel B shall contain a minimum area of 4.5 acres exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22.22.030/23.04.021). Parcel A shall be at least 5 net acres.

Fire Protection

10. **Prior to filing the final parcel map**, the applicant shall obtain a fire safety clearance letter from CDF/County Fire Department establishing the fire safety requirements stated in the fire safety letter dated August 13, 2003.

Parks and Recreation (Quimby) Fees

11. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

12. **Prior to filing the final parcel map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Environmental Health

13. **Prior to filing the final parcel map**, the applicant shall provide evidence of adequate potable water for each parcel and modify the shared well agreement to the satisfaction of County Environmental Health.

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Pismo Clarkia Habitat

14. The following conditions apply to the areas designated as "Easement A" (Parcel A) and "Easement B" (Parcel B) on the attached "Open Space Easements" exhibit. These areas contain Pismo clarkia habitat, and are also identified in Exhibit C of the Mitigated Negative Declaration for this project (ED 04-026):
 - a. **Prior to recordation of the final map**, the applicant shall enter into an open space agreement granting an open space easement in perpetuity to the County in a form approved by County Counsel for the area of Pismo clarkia (*Clarkia speciosa ssp. immaculata*) habitat shown on the tentative parcel map (Easements A and B shown on Exhibit C of the Mitigated Negative Declaration), and shall show the existing agricultural road located along the western property boundary (Exhibit C of the Mitigated Negative Declaration). The easement shall be set aside as open space in perpetuity for its value as habitat for Pismo clarkia as follows:
 - i. No structures, grading, site disturbance, native vegetation removal, vehicle use or storage, introduction of nonnative plants, disking, or any other action likely to negatively affect the Pismo clarkia, its potential pollinators, or surrounding habitat shall occur within the open space easements, with the exception of the existing agricultural road, mowing for fire safety, seasonal livestock grazing, and approved water supply easements.
 - ii. Grading and trenching activities associated with the installation of the waterline shall only be permitted within the months of **November through February** to avoid take of Pismo clarkia. Topsoil of trenched area shall be stockpiled and set-aside during grading and reapplied over graded areas (this applies to the water line only).
 - iii. Mowing for fire safety and livestock grazing shall be limited to **September 1 through March 1**.
 - iv. The existing agricultural road shall not be paved.
 - v. Fencing shall be maintained in perpetuity by the property owners in a condition that will prevent livestock from crossing into the easement boundaries. Gates shall remain closed to prevent livestock from entering the easement areas between March 1 and September 1.
 - b. **Prior to recordation of the Final Map**, the areas designated as "Easement A" and "Easement B" shall be fenced along their respective perimeters. Fencing shall also separate "Easement A" and "Easement B" from the open space easements without significant Pismo clarkia habitat, designated as "Easement C" and "Easement D" in the attached exhibit. The structure, installation, material, and quality of the fencing shall be such that livestock will not be able to destroy or significantly damage the fencing, and will be prevented from crossing into the easement boundaries. Gates may be installed to allow livestock access between September 1 and March 1.
 - c. The boundaries of "Easement A" and "Easement B" shall be clearly shown on the final map and additional map sheet.

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Open Space Easement

15. The following conditions apply to the areas designated as "Easement C" (Parcel A) and "Easement D" (Parcel B) on the attached "Open Space Easements" exhibit. These areas are defined as the open space easement areas shown on the tentative map that are outside of the areas that contain significant Pismo clarkia habitat ("Easement A" and "Easement B"):
 - a. **Prior to the Recordation of the final map**, the applicant shall enter into an open space agreement granting an open space easement in perpetuity to the County in a form approved by County Counsel for the areas designated as "Easement C" and "Easement D" on the attached exhibit.
 - b. The boundaries of "Easement C" and "Easement D" shall be clearly shown on the final map and additional map sheet.

Additional Map Sheet

16. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel map. The additional map sheet shall include the following:

Notification

- a. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- b. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- c. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated August 13, 2003 from the CDF/County Fire Department are completed. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

Improvements

- d. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

Pismo Clarkia Habitat

- e. The following conditions apply to Easement A and Easement B:
 - i. No structures, grading, site disturbance, native vegetation removal, vehicle use or storage, introduction of nonnative plants, disking, or any other action likely to negatively affect the Pismo clarkia, its potential pollinators, or surrounding habitat shall occur within the open space easements, with the exception of the existing agricultural road, mowing for fire safety, seasonal livestock grazing, and approved water supply easements.
 - ii. Grading and trenching activities associated with the installation of the waterline shall only be permitted within the months of **November through February** to avoid take of Pismo clarkia. Topsoil of trenched area shall be stockpiled and set-aside during grading and reapplied over graded areas (this applies to the water line only).

- iii. Mowing for fire safety and livestock grazing shall be limited to **September 1 through March 1**.
- iv. The existing agricultural road shall not be paved.
- v. Fencing shall be maintained in perpetuity by the property owners in a condition that will prevent livestock from crossing into the easement boundaries. Gates shall remain closed to prevent livestock from entering the easement areas between March 1 and September 1.
- f. **Prior to issuance of building and construction permits for individual lot development**, the applicant shall submit documentation from the California Department of Fish and Game permitting take of individual Pismo clarkia plants.
- g. **For the life of the project**, the applicant agrees to allow the County, a land conservancy, resource agency, or other appropriate entity the right to enter the open space area shown on the final exhibit to the open space agreement, to ensure compliance with the easement restrictions and to assess the Pismo clarkia population. However, prior to entering the open space area, the County, land conservancy, resource agency, or other appropriate entity shall give 72-hour written "notice of intent" to visit the site.
- h. **Prior to issuance of building and construction permits for individual lot development**, the applicant shall submit to the County Department of Planning and Building a copy of the Memorandum of Understanding (for maintenance of the Pismo clarkia) agreed to between the property owner and the California Department of Fish and Game.
- i. **Prior to commencement of ground disturbing activities**, the applicant shall install a permanent fence along the perimeter of the easement areas. The fence shall be maintained in good working order for the life of the development.

Oak Trees

- j. **Prior to the issuance of grading and construction permits**, all coast live oak trees on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g. with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1½ times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface. No coast live oak trees are authorized for removal.
- k. **Prior to issuance of grading and construction permits**, the applicant shall submit plans showing the proposed location of the waterline, which shall not be located within the root zone of coast live oak trees.

- I. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making the tree top heavy and more susceptible to "blow-overs," 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retain shade to keep summer temperatures cooler (retain higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers), and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in any one season as much as possible to limit tree stress/shock. (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (smaller than 6 inches in diameter, at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.
- m. **Prior to issuance of grading and construction permits for grading improvements and individual lot development**, the "project limits" shall be clearly delineated on all construction plans, along with the locations of sturdy, high-visibility fencing to be installed in the field at the boundary of the "project limits." Fencing shall remain in place until final inspection. Project design shall not result in the removal of oak trees.

Cultural Resources

- n. **Prior to issuance of grading and construction permits**, the applicant shall show the proposed location of the waterline. The waterline shall be located adjacent to the western property boundary to avoid impacts to known archaeological deposits.
- o. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Wastewater

- p. **Prior to issuance of grading and construction permits**, the applicant shall submit soil borings showing adequate separation between leach lines and the groundwater table. If soil conditions do not permit a standard leach field, the applicant shall submit plans for an engineered wastewater system that meets Basin Plan criteria for on-site systems.

Setbacks

- q. Future development shall provide an 80-foot front setback.

Miscellaneous

17. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
18. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
19. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
20. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

Staff report prepared by Michael Conger
and reviewed by Kami Griffin

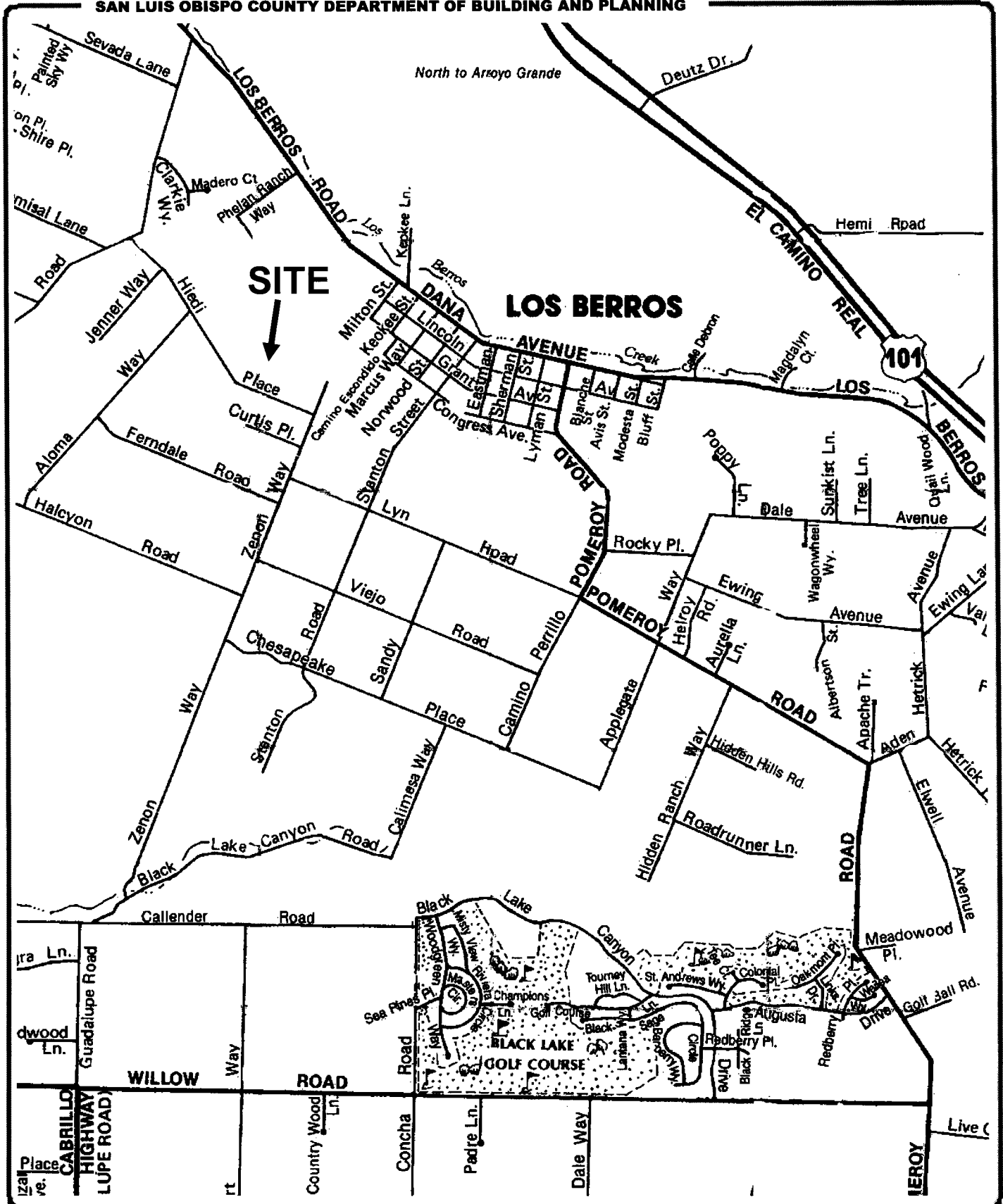
STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
 - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
 - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
 - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

8-16

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

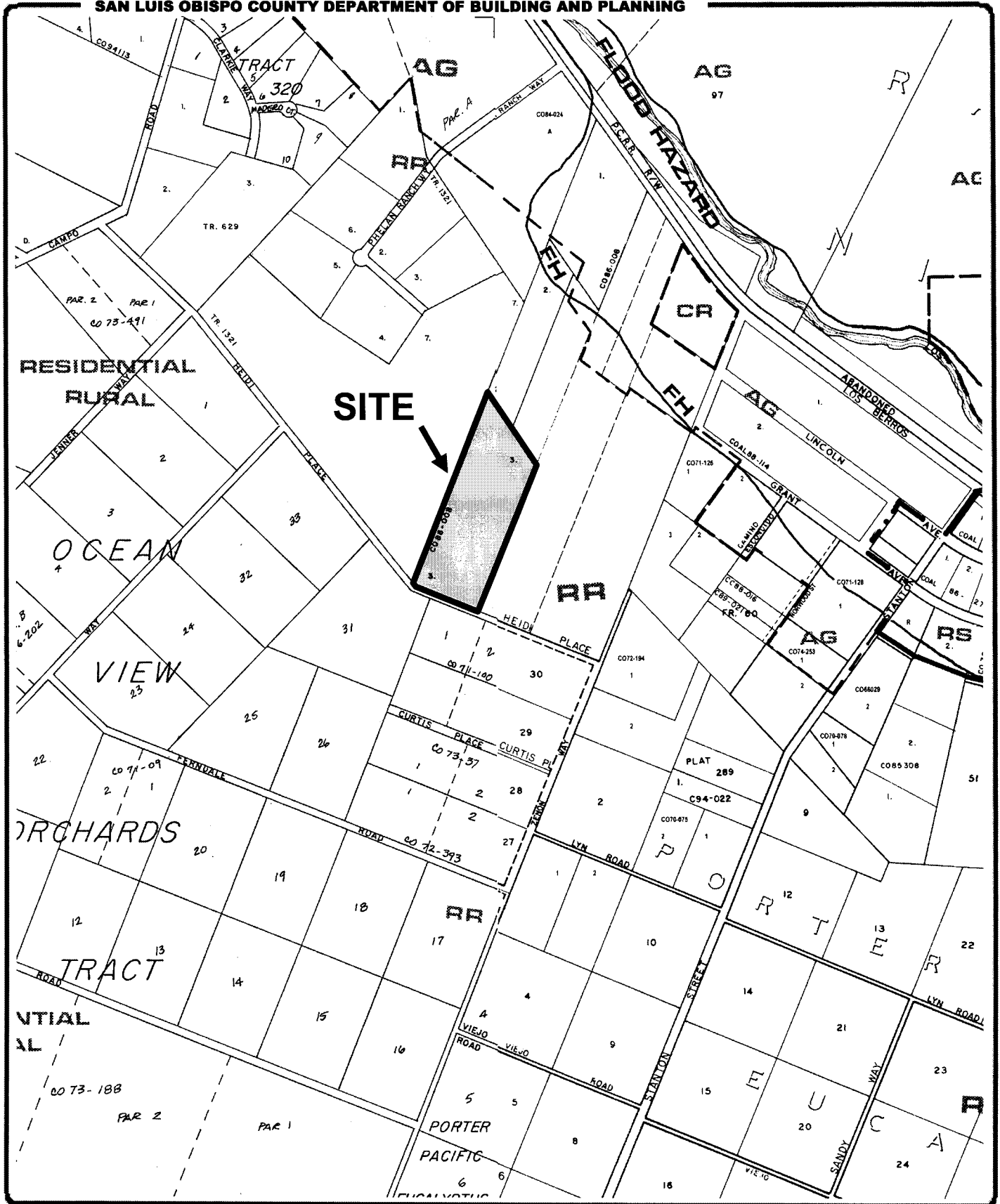
Parcel Map
Hilton S030032P / CO03-0264



EXHIBIT

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

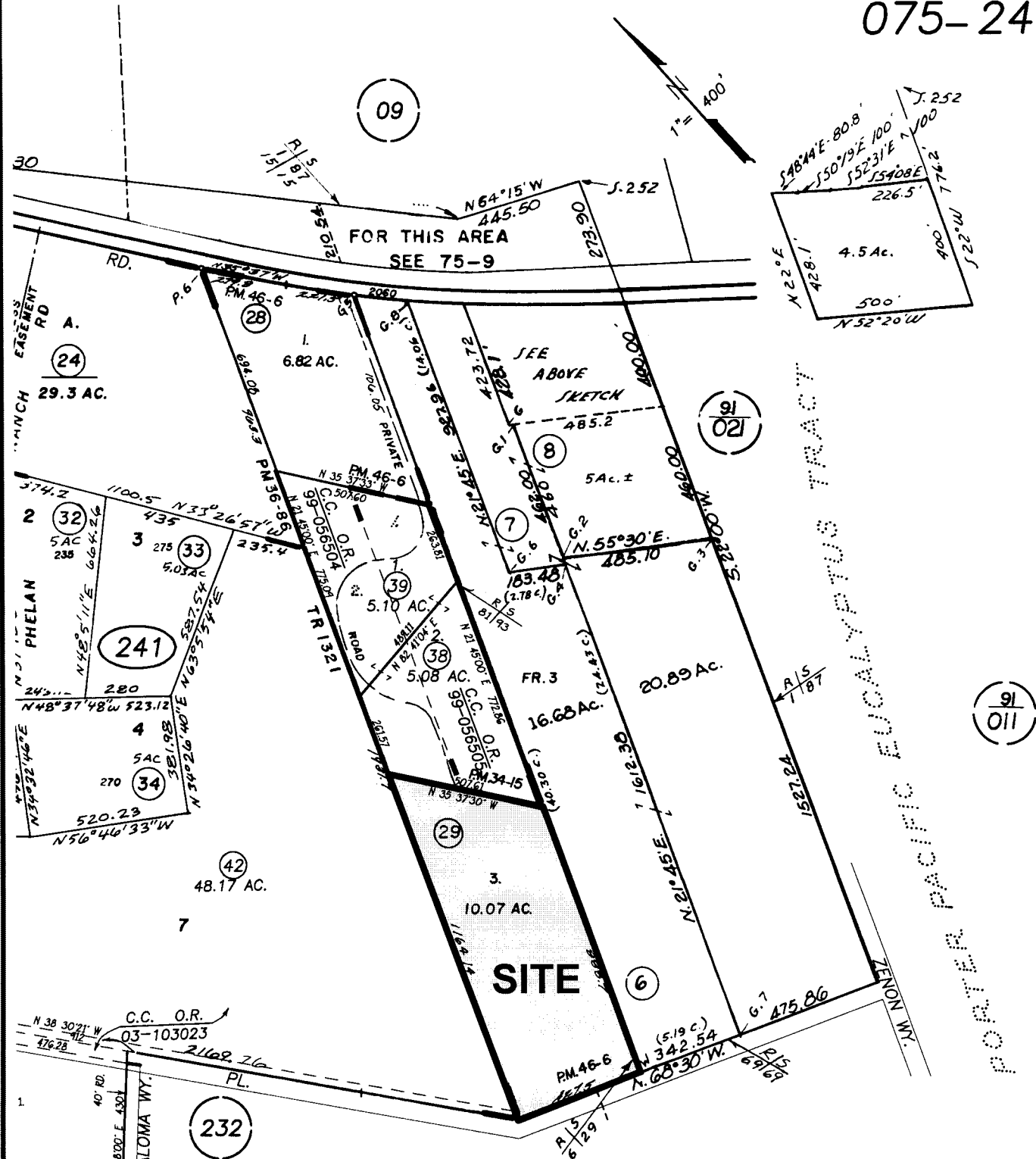
Parcel Map
Hilton S030032P / CO03-0264



EXHIBIT

Land Use Category Map

075-24



TRACT 1321, R.M. Bk. 13 , Pg. 43
TRACT 629, ENCINA OAKS ESTATES UNIT 2, R.M. Bk. 9 , Pg. 85

PROJECT

Parcel Map
Hilton S030032P / CO03-0264



EXHIBIT

Assessor Parcel Map



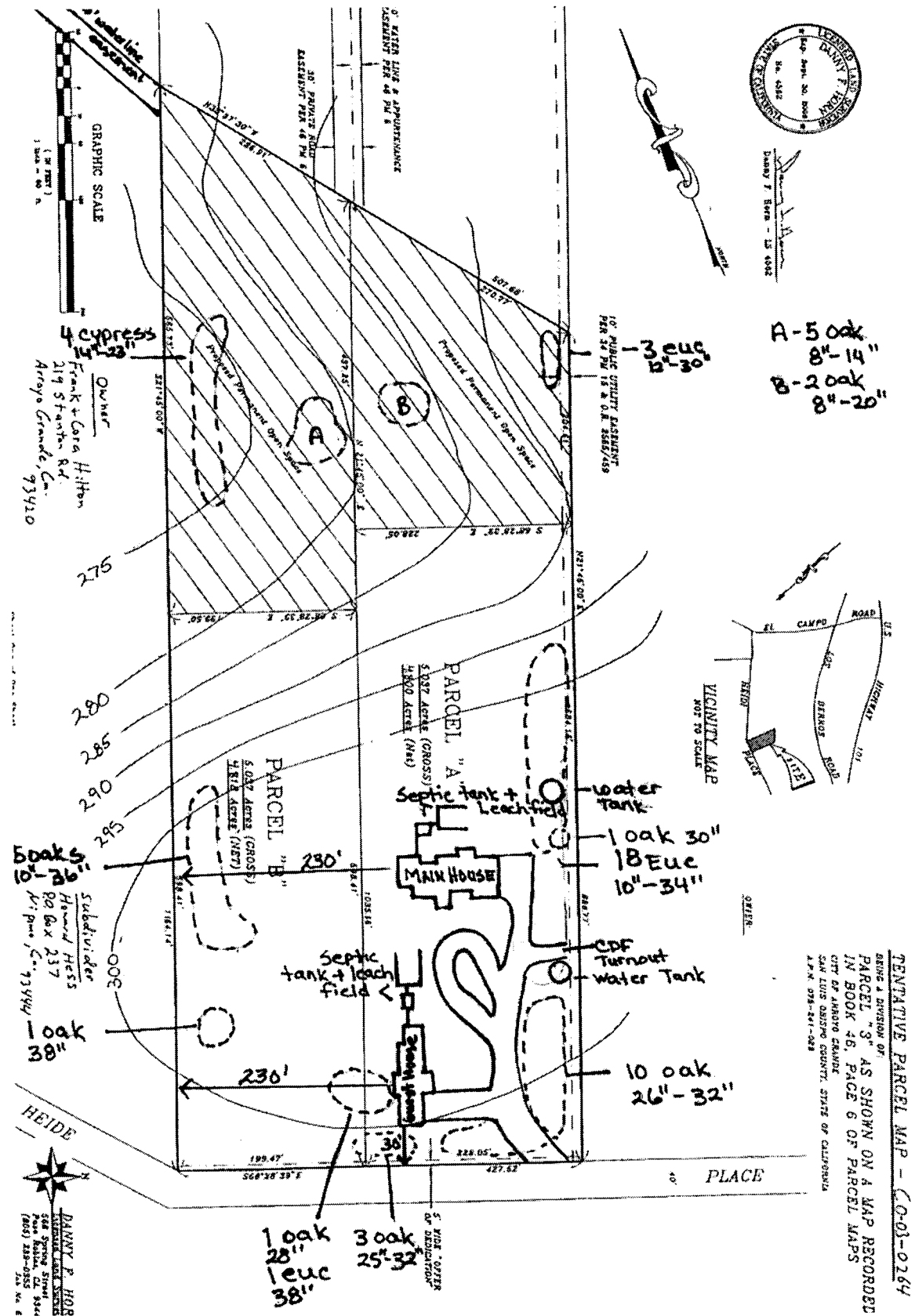
PROJECT

Parcel Map
Hilton S030032P / CO03-0264



EXHIBIT

Aerial Photo



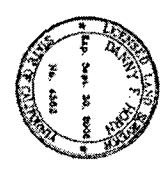
PROJECT

Parcel Map
Hilton S030032P / CO03-0264



EXHIBIT

Proposed Tentative Map



Danny F. Gore
Danny F. Gore - IS 4002

A-5 oak
8"-14"
B-2 oak
8"-20"

VICINITY MAP
NOT TO SCALE

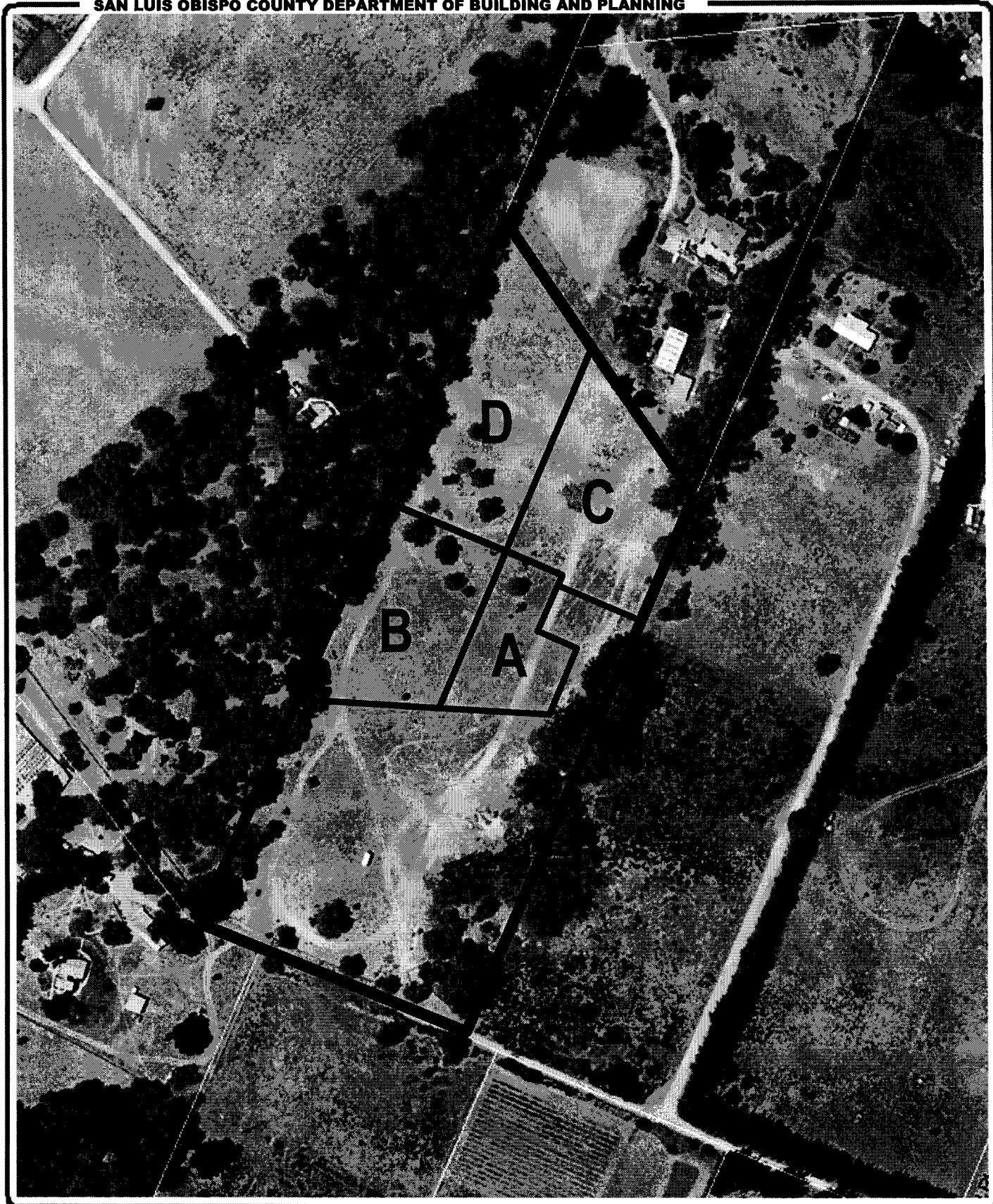
TENTATIVE PARCEL MAP - Co-03-0264
 RATING A DIVISION OF
 PARCEL "3" AS SHOWN ON A MAP RECORDED
 IN BOOK 46, PAGE 6 OF PARCEL MAPS
 CITY OF ANAHO CAUNDE
 SAN LUIS OBISPO COUNTY, STATE OF CALIFORNIA
 A.P.N. 025-241-029

Parcel Map
Hilton S030032P / CO03-0264



Open Space Easements

8-22



PROJECT

Parcel Map
Hilton S030032P / CO03-0264



EXHIBIT

Easements - Aerial



8-23 RSMic

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE:

7/28/03

FROM

Public Works

FROM

South County Team

(Please direct response to the above)

Hilton / 5030032P
Project Name and Number 00 03-0264

Development Review Section (Phone: 781- 4224) ()

PROJECT DESCRIPTION:

Parcel Map - 2 - five acre parcels

Return this letter with your comments attached no later than:

8/11/03

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - STUCKS ATTACHED.

12 SEP 2003
Date

Goodwin
Name

5252
Phone

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 03-0264, HILTON/HESS

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ acres / square feet each.

Access and Improvements



Roads and/or streets to be constructed to the following standards:

- a. HEIDI PLACE constructed to a 2/3 A-7(C) GRAVEL section within a MIN 45 foot dedicated right-of-way. FRONTING THE PROJECT.
- b. _____ widened to complete a _____ section fronting the property.
- c. HEIDI PLACE constructed to a 2/3 A-7(C) GRAVEL section from the property to A PUBLIC MAINTAINED ROAD (minimum ^{improved} ~~paved~~ width to be 18 feet).



The applicant offer for dedication to the public by certificate on the map or by separate document:

- a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.
- b. For future road improvement A variable width ~~feet~~ along HEIDI PLACE to be described as 25 feet from a center line curve of 510 ft radius at the angle point in the road at the SW'ly property corner
- c. For road widening purposes _____ feet along _____ to be described as _____ feet from the recorded centerline.
- d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.
- e. A _____ foot radius property line return at the intersection of _____.
- f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

- 8-25
- ☐ The intersection of _____ and _____ be designed in accordance with California Highway Design Manual.
 - ☐ Access be denied to lots _____ from _____ and that this be by certificate and designation on the map.
 - ☐ The future alignment of _____ shall be shown on the map as reserved for future public right-of-way.
 - ☐ A private easement be reserved on the map for access to lots _____.
 - ☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
 - ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.

Drainage

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☐ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☐ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association**. Impervious paving over a disposal area is not considered acceptable.

- 7 2 1
- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
 - ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
 - ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☐ Electric and telephone lines shall be installed **underground / overhead**.
- ☐ Cable T.V. conduits shall be installed in the street.
- ☐ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☒ The lot area of Lot A & of Lot B shall contain a minimum area of 4.5 ac exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

- 22
- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total ***number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.***
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Easements

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building.*** The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. (***ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN***)
 - b. Drainage basin perimeter landscape screening. (***ONLY USE FOR FENCED BASINS***)
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ _____
- ☐ _____

Additional Map Sheet

- ☐ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____

Covenants, Conditions and Restrictions

8-31

- ☐ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

8-32

- ☐ This subdivision is also subject to the standard conditions of approval for all subdivisions using ***community water and sewer / community water and septic tanks / individual wells and septic tanks***, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

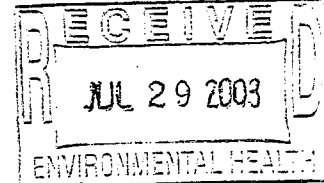


SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 7/28/03
TO: Environ. Health
FROM: South County Team
(Please direct response to the above)
Project Name and Number: Hilton / 5037032P
CO 03-0264



Development Review Section (Phone: 781- 4224) ()

PROJECT DESCRIPTION: Parcel Map - 2-five acre parcels

Return this letter with your comments attached no later than:

8/11/03

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

 YES (Please go on to Part II)
 NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

 NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Please provide applicant with stock condition for on-site waste water. This project is proposing a shared well. Please contact this office immediately to work in consultation in getting data needed to approve a shared well. If legal agreement (shared well agreement) is already in place, then modifications may be necessary.

8/1/03
Date

Laurie Salo
Name

781-5551
Phone



County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

October 15, 2003

Nipomo Properties
P.O. Box 237
Nipomo, CA 93444

RECEIVED
OCT 17 2003
Planning & Bldg

ATTN: **HOWARD HESS**
RE: **TENTATIVE PARCEL MAP CO 03-0264/S.R. 3772 (Hilton)**

Water Supply

This office is in receipt of onsite water well information for the above noted project. The information is considered satisfactory **preliminary** evidence of water. Prior to filing of a final parcel map evidence of adequate potable water for each parcel shall be submitted to the Health Agency. A well drillers report, pump test and complete chemical analysis will be needed for each proposed parcel.

It appears that a shared well system may already be in place. The existing agreement shall be modified to show that the additional parcel created by subdividing parcel #3 of CO 86-008 has rights to said shared water well. It appears that the existing agreement gives only one share of the water to the original parcel #3 of CO 86-008 leaving the second proposed parcel without a water source. Please provide evidence that both proposed parcels of CO 03-0264 have equal rights to the shared water well or can develop water on one of the proposed parcels.

Wastewater Disposal

Individual wastewater disposal systems, designed and installed to meet county and state requirements, should adequately serve the parcels.

CO 03-0264 is approved for Health Agency subdivision map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
Elizabeth Kavanaugh, County Planning
Mr. & Mrs. Hilton, Owners



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
RECEIVED DIRECTOR

AUG 12 2003

Planning & Bldg

THIS IS A NEW PROJECT REFERRAL

DATE:

FROM:
TO:

TO:
FROM:

7/28/03 8/11/03
Gen SVCS - Parks Div.

South County Team
(Please direct response to the above)

Hilton / 5036032P
Project Name and Number CO 03-0264

Development Review Section (Phone: 781- 4224)

PROJECT DESCRIPTION: Parcel Map - 2-five acre parcels

Return this letter with your comments attached no later than:

8/11/03

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES (Please go on to Part II)
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Please see attached memo.

8/11/03
Date

Jan Di Leo
Name

4089
Phone



**SAN LUIS OBISPO
COUNTY PARKS**

MEMO

TO: South County Team

FROM: Alex McDonald

DATE: August 11, 2003

RE: **Hilton Parcel Map (S020032P) (CO 03-0264)**

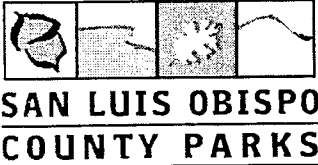
This memo is regarding the subdivision of Assessor Parcel Number 075-241-029, located north of Heidi Place and to the west of Zenon Way, in the unincorporated area of Arroyo Grande. Under the proposed project, the existing 10.07 acre parcel would be subdivided into two parcels to be used for residential housing.

The County Trails Plan indicates a trail corridor along Heidi Place as part of the Nipomo Community Trail System. The Parks Division would require the following:

1. Require applicant to pay Quimby and Building Division fees.
2. The applicant shall construct the following trail corridor:
 - A. A detached trail corridor to the County's A-1 (x) standard along the street frontage of Heidi Place extending from the southeastern corner of Parcel "A" to the southwestern corner of Parcel "B" of the tentative map.
3. Prior to approval of the project's Final Map or improvement plans (whichever occurs first), the Parks Division shall review and approve the proposed location of the trail corridor along Heidi Place. If the applicant cannot provide the required trail corridor within the road right-of-way, the applicant shall provide a trail easement or in fee dedication (as necessary) for the required trail corridor with the final map.

If you have any questions regarding project requirements please call me at (805) 781- 4388. Thank you for the opportunity to comment.

cc: Howard Hess, 410 Nopal Way, Nipomo, CA 93444



Elizabeth

MEMO

TO: South County Team
FROM: Alex McDonald
DATE: October 14, 2003
RE: Hilton Parcel Map (S0³20032P) (CO 03-0264)

RECEIVED
OCT 16 2003
Planning & Bldg

This memo supercedes County Parks August 11, 2003 memo regarding the Hilton Parcel Map located north of Heidi Place and to the west of Zenon Way, in the unincorporated area of Arroyo Grande.

For clarification, the change to our previous project conditions for this project involves the removal of the requirement for the construction of a detached trail corridor to the County's A-1 (x) standard along the street frontage of Heidi Place.

The Parks Division will require the following:

1. Require applicant to pay Quimby and Building Division fees.


If you have any questions regarding project requirements please call me at (805) 781- 4388. Thank you for the opportunity to comment.

cc: Howard Hess, 410 Nopal Way, Nipomo, CA 93444



DATE: August 6, 2003

TO: South County Team
San Luis Obispo County Department of Planning and Building

FROM: Dominic A. Farinha 
San Luis Obispo County Air Pollution Control District

SUBJECT: Parcel Split (Hilton SO 30032P/CO 03-0264)

RECEIVED
AUG 8 2003
Planning & Bldg

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 2071 Los Berros Road in Nipomo. We have the following comments on the proposal.

This project, like many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development.

The District understands that under the County's Land Use Ordinance parcels within the Residential Rural category can be subdivided to a minimum lot size of five acres. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable in the long run. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

One possible solution to this dilemma is a workable Transfer Development Credit (TDC) Program, which would encourage more compact development in urban areas and less sprawling development from environmentally sensitive land. We do believe, however, it is important to carefully select receiver and sender sites so the ultimate goal of increasing densities in urban areas is achieved. As currently structured, the TDC Program does not assure that receiver sites are located within or bordering the URL; therefore, promoting further growth in areas outside the URL. The District recommends changes to the TDC Program to assure long-term sustainable development.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

DAF/MAG/lmg

H:\ois\plan\response\2760.doc



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 10/04/05

TO: Department of Fish and Game

Hilton

Project Name and Number

FROM: _____

Please respond to above

Development Review Section (PHONE: 788-2352)

PROJECT DESCRIPTION: lot split Heide Place

Return this letter with your comments attached no later than _____

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES (Please go on to PART II.)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

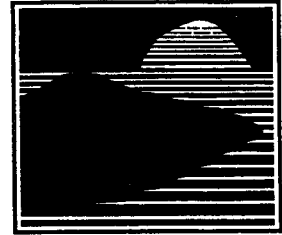
☐ NO (Please go on to PART III.)

☒ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter. See III)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT" PLEASE SO INDICATE, OR CALL.**

designate permanent access off Heide Place;
open space easement over main population of Clarkid,
w/ fence - allowable uses w/in Clarkid area
include use of existing dirt road (no paving), plus
mowing/grazing allowed fall/winter Sept 1 thru Mar.

Date Oct 4, 2005 Name Deborah Hillipnd Phone 772-4318



MORRO
GROUP, INC.
Environmental Services

PROJECT REFERRAL

DATE: August 31, 2005
TO: California Department of Fish and Game
FROM: Shawna Scott, Morro Group, Inc.
SUBJECT: Hilton Parcel Map; S030032P

PROJECT DESCRIPTION: Subdivision of one ten-acre parcel into two parcels five acres each for the purpose of sale and development.

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES (Please go on to Part II)
_____ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

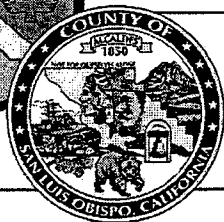
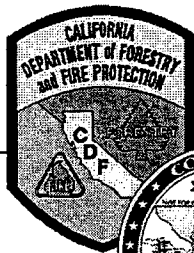
_____ NO (Please go on to Part III)
X YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL (805) 543-7095 extension 111.**

Prima clarkia populations should be avoided. 2091
permit will be needed if small population (3 individuals)
cannot be avoided

Response Date: 8-31-05 Name: Robert Stafford

Please return this letter with your comments as soon as possible.



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

August 21, 2003

RECEIVED

AUG 22 2003

Planning & Bldg

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # CO 03-0264/Hilton

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed 2 parcel subdivision project located at 2071 Los Berros Rd., Arroyo Grande. This project is located approximately 8-10 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - Parcels less than 1 acres 800 feet
 - Parcels 1 acre to 4.99 acres 1320 feet
 - Parcels 5 acres to 19.99 acres 2640 feet
 - Parcels 20 acres or larger 5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed

20%.

- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo
Fire Inspector

cc: Mr. Frank Hilton, owner
Mr. Howard Hess, agent



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

RECEIVED

AUG 4 2003

Planning & Bldg

THIS IS A NEW PROJECT REFERRAL

DATE:

7/28/03

TO:

Nipomo CSD

FROM:

South County Team

(Please direct response to the above)

Hilton / 5030032P
Project Name and Number Co 03-0264

Development Review Section (Phone: 781-4224)

PROJECT DESCRIPTION:

Parcel Map - 2-five acre parcels

Return this letter with your comments attached no later than:

8/11/03

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ YES
☐ NO

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

The Santa Maria Groundwater Adjudication
may affect the viability of the water supply
for this project.

RECEIVED

JUL 30 2003

NIPOMO COMMUNITY
SERVICES DISTRICT

7-29-03

Date

D Jones

Name

929-1133

Phone

2-44

**PROJECT REFERRAL
COMMUNITY ADVISORY COUNCIL**

Date Referred: 8/28/03

Project Planner/Manager: Gloria K.

The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your community group, we are enclosing a copy of the project application and plan for your preliminary review and comment. Please comment on all issues that you see may be associated with this project.

You may want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant / agent are provided on the application form that is attached.

PROJECT INFORMATION

File Number: S030032P

Applicant: Hilton

Request: Parcel Map

STAFF COMMENTS

C.A.C. COMMENTS *The attached checklist is to help you with your review. You may choose to complete the checklist as your only response to this referral.*

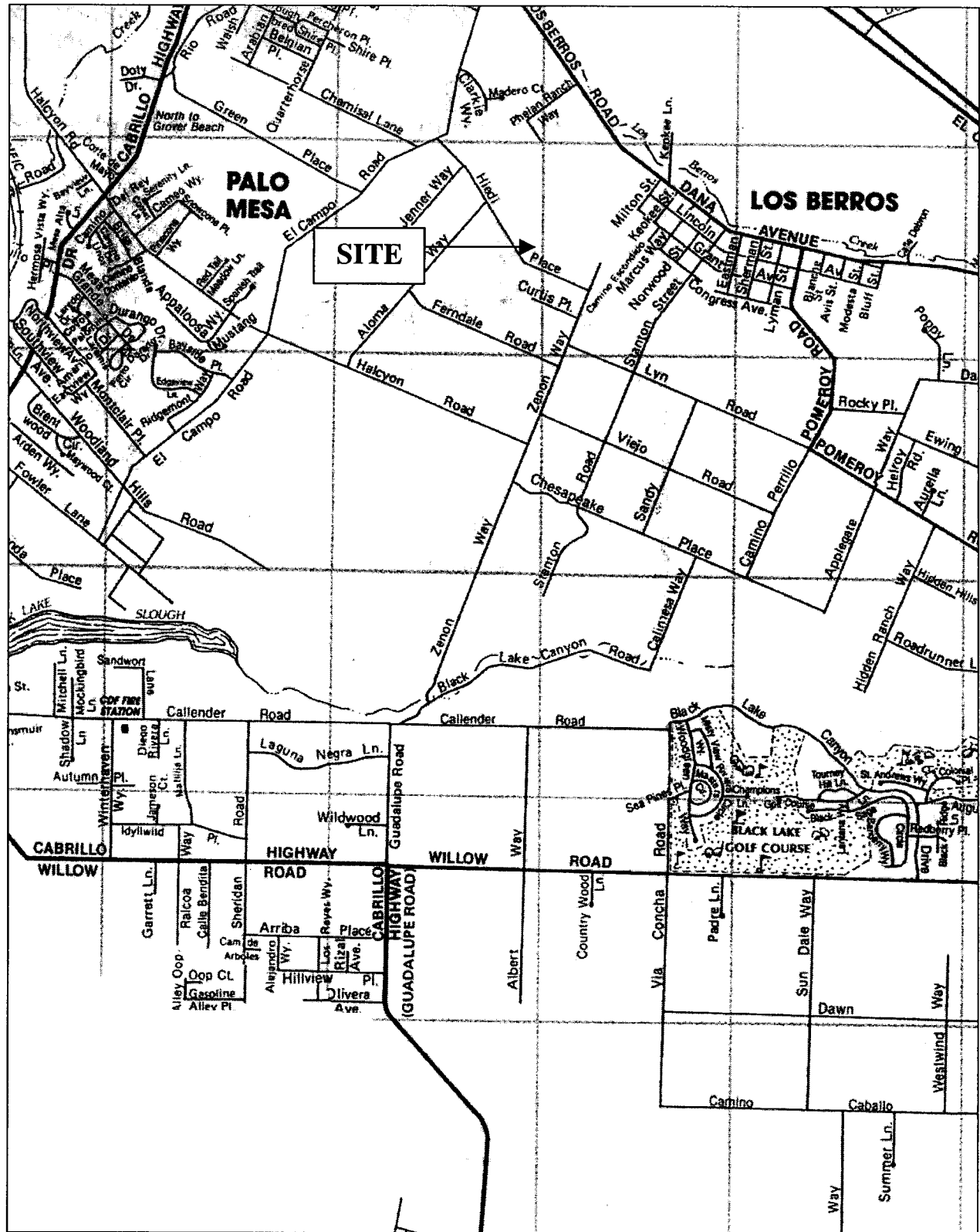
- ☐ We have received the referral on the above-referenced project and have no comments.
- ☒ We have received the referral on the above-referenced project and have the following comments:

Hilton Frank & Cora. Permit # S030032P. Divide a 10.07 acre parcel into two 5 acre parcels, Zoned RR. Passed on the Consent Agenda with the usual requests for trails as advised by Jan DiLeo, County Parks.

Please let us know the following:

- | | | |
|------------------------------|-----------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the public hearing for the project? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want a copy of the staff report when the project goes to public hearing? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the final action for the project? |

Date Referral Action Taken By Community Advisory Council: _____



Source: Compass Maps



NORTH
Not to Scale

PROJECT VICINITY MAP
FIGURE 1



COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (JLB)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-026

DATE: October 13, 2005

PROJECT/ENTITLEMENT: Hilton Parcel Map SO30032P

APPLICANT NAME: Frank and Cora Hilton

ADDRESS: 2080 Heidi Place, Arroyo Grande, CA, 93420

CONTACT PERSON: Julie Hilton

Telephone: 805-931-0616

PROPOSED USES/INTENT: Proposal to subdivide an existing ten-acre parcel into two parcels of five acres each for the purpose of sale and/or development. The project includes off-site road improvements to Heidi Place.

LOCATION: The project is located on the northern side of Heidi Place, approximately 915 feet west of Zenon Way, west of the Village of Los Berros in the South County (Inland) planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Game
, Environmental Health

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



San Luis Obispo County
Department of Planning and Building
environmental division

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo

Date: September 9, 2005

County: San Luis Obispo

Project No. S030032P

Project Title: Hilton Parcel Map

Project Applicant

Name: Frank and Cora Hilton

Address: 2080 Heidi Place

City, State, Zip Code: Arroyo Grande, CA, 93420

Telephone #: 805-931-0616

Please remit the following amount to the **County Clerk-Recorder:**

() Environmental Impact Report	\$ 850.00
(X) Negative Declaration	\$ 1250.00
() County Clerk's Fee	\$ <u>25.00</u>
Total amount due:	\$1,250

AMOUNT ENCLOSED: _____

Checks should be made out to the "**County of San Luis Obispo**". Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Hilton Parcel Map; S030032P ED04-136

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

MORRO GROUP, INC.
Prepared by (Print)

Sherry Carr
Signature

09/13/05
Date

John McKenzie
Reviewed by (Print)

John McKenzie
Signature

Ellen Carroll,
Environmental Coordinator
(for)

9/15/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Proposal by Frank and Cora Hilton for a Parcel Map to subdivide an existing ten-acre parcel into two parcels of five acres each for the purpose of sale and/or development. The project includes off-site road improvements to Heidi Place. The proposed project is within the Residential Rural land use category and is located on the northern side of Heidi Place, approximately 900 feet west of Zenon Way, west of the Village of Los Berros. The site is in the South County (Inland) planning area.

ASSESSOR PARCEL NUMBER: 075-241-029

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Rural

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None

EXISTING USES: Single-family residence, secondary residence

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Grasses, oak trees, eucalyptus trees, forbs, Pismo clarkia

PARCEL SIZE: 10 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural/ scattered residences	<i>East:</i> Residential Rural/ scattered residences
<i>South:</i> Residential Rural/ scattered residences	<i>West:</i> Residential Rural/ scattered residences

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located on the northern side of Heidi Place, approximately 900 feet west of Zenon Way, west of the village of Los Berros (refer to Figures 1 through 3). There is one primary residence, one secondary residence, and driveway located on the southeastern portion of the parcel. The remainder of the parcel is undeveloped, and supports grasses, forbs, and oak and eucalyptus trees on nearly level to gently sloping topography. Surrounding development includes scattered residences with accessory agricultural uses (e.g., horses and chickens).

Impact. The applicant is proposing to subdivide the existing 10-acre parcel into two parcels approximately five acres each (refer to Figure 4). Future development would likely consist of one primary and one secondary residence, driveway, and associated improvements. Future development would only be visible from Heidi Place, an local road providing access to scattered residences in the immediate area. Development of the parcel would be consistent with existing land uses in the area, and would not be visible from any major public roads. Based on the location of the proposed project, no significant visual impacts would occur.

Mitigation/Conclusion. No significant visual impacts were identified, and no mitigation measures are necessary.

2.	AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is located with the Residential Rural land use category. The soil type mapped for the project is Oceano sand (9 to 30 percent slopes). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI", and the "irrigated" soil class is "IV". Surrounding land uses include residences and accessory agricultural uses, such as horse grazing and chickens. No production agricultural operations are located in the immediate vicinity. Based on the location of the proposed project, and lack of production agriculture on-site and in the immediate vicinity, no significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No significant impacts to agricultural impacts were identified, and no mitigation measures are necessary.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located within the South Central Coast Air Basin and is nearest to the Nipomo Ralcoa Way Air Quality Monitoring Station. Based on the latest air monitoring station information, the trend in air quality in the general area is improving. The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful

ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. The applicant is not proposing development or site disturbance at this time. Future disturbance would occur during grading and construction activities associated with development of up to one primary and one secondary residence, driveway, and associated improvements on proposed Parcel B. This would result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The proposed project was referred to the County APCD, and no project specific significant air quality impacts were identified (Dominic A. Farinha; August 6, 2003).

The project was also referred to the APCD to assess consistency with the Clean Air Plan (CAP). The Clean Air Plan includes land use management strategies to guide decision-makers on land use approaches that result in improved air quality. This development is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. Given the smaller number of potential new residences, individually the impacts are expected to be less than significant.

In addition, implementation of the proposed project would result in the generation of up to approximately 15 average daily vehicle trips, and would contribute to the cumulative generation of transportation-related air emissions. In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the buildout impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan buildout would offset some of these impacts.

Mitigation/Conclusion. Each new residence(s) will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths. No additional mitigation measures are required.

4. BIOLOGICAL RESOURCES - ***Will the project:***

**Potentially
Significant**

**Impact can
& will be
mitigated**

**Insignificant
Impact**

**Not
Applicable**

**a) *Result in a loss of unique or special
status species or their habitats?***

☐☒☐☐

4. BIOLOGICAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Reduce the extent, diversity or quality of native or other important vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impact wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project site: grasses, coastal scrub, and oak woodland. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified in the vicinity of the project site:

Plants: Sand mesa (shagbark) manzanita (*A. rudis*), dune larkspur (*D. parryi ssp. blochmaniae*), and Pismo clarkia (*Clarkia speciosa ssp. immaculata*) [FE, SR]

Wildlife: California red-legged frog (*Rana aurora draytonii*) [FT, CSC]

Habitats: Property is located in prime Pismo Clarkia habitat, as well as being in the Santa Barbara vernal pool region.

Due to topography, sandy soils, and proximity to groundwater, no wetland or riparian habitat, or drainages are present onsite. Based on site visits conducted in March 2004 and 2005, May 2005, and August 2005, the site lacks suitable characteristics for vernal pools and California red-legged frog. Pismo clarkia was observed on the project site. The project site was surveyed by Mike McGovern on June 10, 2005. The botanical survey documents approximately 300 to 400 Pismo clarkia plants onsite (Mike McGovern; June 20, 2005). No other special status plant species are present. Sixteen mature coast live oak trees are on Parcel A, and twelve mature coast live oak (*Quercus agrifolia*) are present on proposed Parcel B. These trees are considered important native habitat by the County of San Luis Obispo, and also provide habitat for nesting birds.

Impact. The applicant proposes to subdivide the existing ten-acre parcel into approximately five acres each. Proposed Parcel A is currently developed with a primary and secondary residence. Future development would occur on proposed Parcel B. An existing water line easement connects to proposed Parcel B in the northwest corner of the parcel. The primary population of Pismo clarkia is located near the center of Parcel B, and two small clumps (three plants and seventeen plants each) are located in the front half of the parcel. The applicant is proposing an open space easement to cover the rear third of each parcel; however, this easement does not include a majority of the Pismo clarkia population. The proposed project was referred to Bob Stafford and Deborah Hillyard with the California Department of Fish and Game (CDFG). Loss of Pismo clarkia would result in a potentially significant impact. Ms. Hillyard recommended that the primary occurrence of Pismo clarkia be avoided, and protected with an open space easement (October 4, 2005). Based on the central location of two small clumps of 17 and three Pismo clarkia plants, and other resource constraints on the project site (e.g., cultural resources and coast live oak trees), construction of a residential project

on the project site would require the removal of these three plants. Ms. Hillyard preliminarily approved take of these three Pismo clarkia plants (October 4, 2005), pending a take permit required by CDFG with the understanding that the remaining population would remain. In addition, installation of a water line to the future building area would be located through identified Pismo clarkia habitat.

Five of the coast live oak trees on proposed Parcel B are located within the proposed open space easement. The remaining seven oak trees are located near the western and eastern boundaries of Parcel B, and can be avoided. Without protection, inadvertent impacts to these trees may occur during grading and construction activities.

Mitigation/Conclusion. To protect the identified areas of Pismo clarkia occurrences, the applicant has agreed to record an open space easement to include the primary population of Pismo clarkia and a 50-foot buffer (refer to Exhibit C). In addition to the expanded open space easement, the applicant has agreed to install fencing along the perimeter of the easement lines to minimize incidental disturbance of Pismo clarkia. The applicant is required to obtain a take permit from CDFG for the disturbance of individual species and habitat areas determined acceptable for disturbance by CDFG. Approved activities within the Pismo clarkia open space easement include the continued use of an agricultural road along the western property boundary (to remain unpaved), mowing for fire safety (between September 1 and March 1 only), and livestock grazing (between September 1 and March 1 only) (Deborah Hillyard, CDFG; October 4, 2005). To avoid incidental disturbance to special-status plant species during the future development of each lot within approved buildable areas, the applicant has agreed to adopt map conditions that require staking of grading limits and staging area(s) prior to any site disturbance on all proposed lots. Staging areas shall be located outside of sensitive habitat areas. In addition, grading activities associated with installation of the future water line shall preserve topsoil and occur well outside of the blooming season to avoid direct impacts to Pismo clarkia (November through February). To avoid impacts to coast live oak trees, the applicant has agreed to install protective fencing along the root zones of all oak trees within the developable area of Parcel B. No oak trees shall be permitted for removal. Implementation of these measures would mitigate potential impacts to biological resources to less than significant.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Obispeño Chumash. No historic structures are present and no paleontological resources are known to exist in the area. The applicant submitted a *Phase I Archaeological Surface Survey* (Thor Conway, Heritage Discoveries, Inc.; January 13, 2003) including the results of a regional records search and field survey of the project site. Both prehistoric and historic cultural resources are known to exist in the Nipomo area. Archaeological materials were observed on the northern portion of project site. Based on the results of the surface survey, a subsurface survey was conducted to determine the boundary of the archaeological deposits. Fifteen pits were tested, and the deposit boundary was delineated. Based on the results of the subsurface testing, the archaeological site is small, and shows low significance and low research potential (Thor Conway, Heritage Discoveries, Inc.; May 10, 2004).

Impact. The applicant is proposing an open space easement over the northern portion of the project site, including the delineated archaeological site. No grading or construction is permitted within the open space area, with the exception of trenching required for installation of a water line (to extend from the northwest corner of the project site). Trenching activities could result in significant impacts to archaeological resources if the waterline extends through known deposits.

Mitigation/Conclusion. The applicant has agreed to locate the water line outside of the archaeological site to avoid impacts to these resources. In addition, in the event cultural resources are discovered during construction, all work in the area shall cease and the contractor shall contact the appropriate authorities, as required by Section 22.10.040 of the County Land Use Ordinance.

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

GEOLOGY – The topography of the project site is nearly level to gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils. There is no evidence that measures beyond what is already required by ordinance or code are necessary.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Rocky Place) from the proposed development is approximately 0.4 miles to the north. As described in the NRCS Soil Survey, the soil is considered well drained. There is no evidence that measures beyond what is already required by ordinance or code are necessary.

SEDIMENTATION AND EROSION – The soil type mapped for the project site is Oceano sand (9 to 30 percent slopes). As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility and low shrink-swell characteristics. Projects involving more than one acre (43,560 sq. ft.) of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program. The applicant is not currently proposing to develop proposed Parcel B. Future development would be subject to existing codes and regulations. There is no evidence that measures beyond what is already required by ordinance or code are necessary.

Mitigation/Conclusion. Based on compliance with standard ordinances and codes, geology and soils impacts would be insignificant, and no additional measures are required.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The applicant does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan. The proposed project was referred to the County Fire Department/California Department Forestry and Fire Protection (CDF) for review. CDF noted that the project site is located within eight to ten minutes from the closest CDF station. No significant fire safety impacts were identified. Future development is required to comply with local ordinance, the California Fire Code and the Public Resources Code, which include such measures as emergency vehicle access, fire suppression water supply, and fuel modification (100-foot fuel modification setback surrounding structures, 10-foot setback surrounding driveways and access road) (Gilbert Portillo, August 21, 2003). As discussed in Section 4 (Biological Resources), mowing for fire safety within the Pismo clarkia open space easement is permitted between September 1 and March 1.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located immediately north of Heidi Place, a local rural road that generates minimal transportation-related noise in the area. Existing and future development on the project site would not generate, or be exposed to, significant levels of noise.

Mitigation/Conclusion. Based on the location of the proposed project, no significant noise impacts would occur, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. POPULATION/HOUSING -*Will the project:***Potentially
Significant****Impact can
& will be
mitigated****Insignificant
Impact****Not
Applicable****d) Use substantial amount of fuel or energy?**☐☐☒☐**e) Other _____**☐☐☐☐

Setting. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee, pursuant to County Code. This fee would not apply if any county-recognized affordable housing were proposed on the subject parcel. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES*- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:***Potentially
Significant****Impact can
& will be
mitigated****Insignificant
Impact****Not
Applicable****a) Fire protection?**☐☒☐☐**b) Police protection (e.g., Sheriff, CHP)?**☐☒☐☐**c) Schools?**☐☒☐☐**d) Roads?**☐☐☒☐**e) Solid Wastes?**☐☐☒☐**f) Other public facilities?**☐☐☒☐**g) Other _____**☐☐☐☐

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Mesa Firestation A) is approximately two miles from the project site. The closest Sheriff substation is in Oceano, which is approximately five miles from the proposed project site. The project is located in the Lucia Mar Unified School District.

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan does not show a potential trail through the proposed project site. Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact. Implementation of the proposed project would contribute to the cumulative demand for trails and recreational resources in the Nipomo area. The proposed project was referred to the County Parks Division for review. The Parks Division did not note any significant impacts to recreational resources, and requires the standard payment of Quimby and Building Division Fees (Alex McDonald; October 14, 2003).

Mitigation/Conclusion. The "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No additional mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The applicant proposes to utilize a standard septic system and leach field to manage domestic wastewater. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems include poor filtering characteristics and steep slopes. These limitations are summarized as follows:

Poor Filtering Characteristics – Due to the very permeable soil; without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent; to achieve compliance with the Central Coast Basin Plan, depth to groundwater information will need to be provided at the building permit stage.

Steep Slopes – This characteristic indicates that portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent “daylighting” to the ground surface. The area proposed for development is nearly level to gently sloping; therefore this characteristic does not apply.

Impact. The project proposes to use on-site system as its means to dispose wastewater. Based on the proposed plans, adequate area appears available for an on-site system. The County Environmental Health Division reviewed the proposed project and stated that individual wastewater disposal systems, designed and installed to meet county and state requirements should adequately serve the parcels (Laurie Salo; October 15, 2003). Due to limited availability of information relating to the poor filtering soil characteristic, the following additional information will be needed prior to issuance of a building permit: soil borings at leach line location showing that there is adequate separation, or plans for an engineered wastewater system that shows how the Central Coast Basin Plan criteria can be met.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. As previously discussed, in addition to following the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit as follows: soil borings at leach line location showing that there is adequate separation, or if inadequate separation, plans for an engineered wastewater system that shows how the basin plan criteria can be met. Implementation of these measures would mitigate potential wastewater impacts to less than significant.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The existing residences onsite are served by a shared off-site well. The underlying groundwater basin is the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water.

On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 1.8% growth limit, as depicted in the Growth Management Ordinance. Effective immediately, the County Flood Control and Water Conservation District will implement improved well monitoring and water quality monitoring programs for this area.

Future development would be served by the existing shared off-site well. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be approximately 2.36 acre feet/year (AFY), including the existing residence:

$$2 \text{ residential lots (w/primary (0.85 afy) \& secondary (0.33 afy) X 2 lots) = 2.36 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

The County Environmental Health Division reviewed the proposed project and determined that the existing shared well agreement did not include rights to the proposed additional parcel (Parcel B). The applicant revised the shared well agreement to share rights with proposed Parcel B, including water easements extending from the well to Parcels A and B (April 6, 2004). The shared well would serve three parcels. Based on available information, the proposed water source is not known to have any significant availability or quality problems. Implementation of the proposed project would not result in project-specific impacts to the water supply, but would contribute to the cumulative demand for resources.

As a part of the RMS update, building permits are now required to include the full range of water conservation measures, including both interior and outdoor measures. Interior measures would include: low water-use toilets, showerhead, faucets; low water-use clothes washers; automatic shut-off devices for bathroom and kitchen faucets, and; point-of-use supplemental water heater systems in bathrooms and kitchen, or circulating hot water systems. Outdoor measures would include: low water-use landscape; limited landscape area; limited turf area; low water-use plant materials; hardware; soil moisture sensors; drip irrigation system; separate meter for outdoor water management, and; an operating manual to instruct homeowner how to use and maintain water conservation hardware.

The Board of Supervisors also directed staff to process a general plan amendment (planning area standard) that would expand the application of landscape standards in the LUO (Sec. 22.16.020) for projects in the area subject to the 1.8 percent growth limit. Low water-use landscapes will be required for all developer-installed landscapes on parcels of five acres or less in any land use category (currently, this provision applies to parcels of two acres or less).

Homeowner provided landscaping for projects approved with Minor Use Permits, Conditional Use Permits or Site Plans must also comply with Section 22.16.020. Section 22.16.030 will also apply to projects with a potential total irrigated landscape area of 1,500 square feet or greater (currently, projects less than 2,500 square feet are exempt). In an effort to monitor the effectiveness of these water conservation measures, each annual update of the Growth Management Ordinance will include data to indicate if the water use rate per dwelling unit is trending downward. If progress toward water conservation targets is not evident, further growth limitations may be recommended.

The topography of the project site is nearly level to gently sloping. The closest source of surface water from the proposed project site is approximately .40 mile away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility. Standard drainage and erosion control measures (refer to Section 6) would be required for the proposed project and would provide sufficient measures to adequately protect surface water quality. No additional measures are considered necessary and potential water quality impacts are either insignificant or will be reduced to less than significant levels.

Mitigation/Conclusion. To conserve water, the project will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240) in addition to the measures described above. The ordinance requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute; spas and hot tubs shall use re-circulating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter. Regarding surface water quality, the applicant is also required to implement erosion control measures to minimize erosion and down-gradient sedimentation. Based on compliance with existing ordinances and regulations, and implementation of required water conservation measures, water impacts would be reduced to insignificance.

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, South County Area Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). The project is not within or adjacent to a Habitat Conservation Plan area.

The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study, because it would result in one additional lot for future residential development, similar to surrounding residential development.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with a ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
☒	County Public Works Department	Attached
☒	County Environmental Health Division	Attached
☐	County Agricultural Commissioner's Office	Not Applicable
☒	County Parks and Recreation Division	Attached
☒	County Assessor Department	No Response
☒	Air Pollution Control District	Attached
☐	Regional Water Quality Control Board	Not Applicable
☐	CA Department of Conservation	Not Applicable
☒	CA Department of Fish and Game	Attached
☒	CA Department of Forestry	Attached
☐	CA Department of Transportation	Not Applicable
☒	Nipomo Community Services District	Attached
☒	Nipomo Community Advisory Council	Attached

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application	☒ South County Area Plan and Update EIR
<u>County documents</u>	☒ South County Circulation Study
☐ Airport Land Use Plans	<u>Other documents</u>
☒ Annual Resource Summary Report	☒ Archaeological Resources Map
☒ Building and Construction Ordinance	☒ Area of Critical Concerns Map
☐ Coastal Policies	☒ Areas of Special Biological Importance Map
☒ Framework for Planning (Coastal & Inland)	☒ California Natural Species Diversity Database
☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	☒ Clean Air Plan
☒ Agriculture & Open Space Element	☒ Fire Hazard Severity Map
☒ Energy Element	☒ Flood Hazard Maps
☒ Environment Plan (Conservation, Historic and Esthetic Elements)	☒ Natural Resources Conservation Service Soil Survey for SLO County
☒ Housing Element	☒ Regional Transportation Plan
☒ Noise Element	☒ Uniform Fire Code
☒ Parks & Recreation Element	☒ Water Quality Control Plan (Central Coast Basin – Region 3)
☒ Safety Element	☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
☒ Land Use Ordinance	
☒ Real Property Division Ordinance	
☒ Trails Plan	
☐ Solid Waste Management Plan	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Conway, Thor. Heritage Discoveries, Inc. January 13, 2003. *A Phase I Archaeological Survey at 2080 Heidi Road, Arroyo Grande, San Luis Obispo County.*

Conway, Thor. Heritage Discoveries, Inc. May 10, 2004. *Archaeological Site Boundary Definition at the Hilton Property, 2080 Heidi Road, Arroyo Grande, San Luis Obispo County.*

McGovern, Mike, Ph.D. June 20, 2005. *Botanical Survey.*

Exhibit B - Mitigation Summary Table

Biological Resources

BR-1 Prior to recordation of the final map, the applicant shall enter into an open space agreement granting an open space easement in perpetuity to the County in a form approved by County Counsel for the area of Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*) habitat shown on the proposed parcel map, and shall show the existing agricultural road located along the western property boundary (Exhibit C). The easement shall be set aside as open space in perpetuity for its value as habitat for Pismo clarkia. No structures, grading, site disturbance, native vegetation removal, vehicle use or storage, introduction of nonnative plants, discing or any other action likely to negatively affect the Pismo clarkia, its potential pollinators, or surrounding habitat shall occur within the open space easement, with the exception of the existing agricultural road, mowing for fire safety, seasonal livestock grazing, and approved water supply easements.

Grading and trenching activities associated with the installation of the waterline shall only be permitted within the months of November through February to avoid take of Pismo clarkia. Topsoil of trenched area shall be stockpiled and set-aside during grading and reapplied over graded areas (this applies to the water line only). Mowing for fire safety and livestock grazing shall be limited to September 1 through March 1. The existing agricultural road shall not be paved.

BR-2 Prior to issuance of building and construction permits for individual lot development, the applicant shall submit documentation from the California Department of Fish Game permitting take of individual Pismo clarkia plants.

BR-3 For the life of the project, the applicant agrees to allow the County, a land conservancy, resource agency or other appropriate entity, the right to enter the open space area, shown on the final exhibit to the open space agreement, to ensure compliance with the easement restrictions and to assess the Pismo clarkia population. However, prior to entering the open space area, the County, land conservancy, resource agency, or other appropriate entity shall give 72-hour written "notice of intent" to visit the site.

BR-4 Prior to issuance of building and construction permits for individual lot development, the applicant shall submit to the County Department of Planning and Building a copy of the Memorandum of Understanding (for maintenance of the Pismo clarkia) agreed to between the property owner and the California Department of Fish and Game.

BR-5 Prior to commencement of ground disturbing activities, the applicant shall install a permanent fence along the perimeter of the easement areas. The fence shall be maintained in good working order for the life of the development.

BR-6 Prior to issuance of grading and construction permits, all coast live oak trees on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface. **No coast live oak trees are authorized for removal.**

BR-7 Prior to issuance of grading and construction permits, the applicant shall submit plans showing the proposed location of the waterline, which shall not be located within the root zone of coast live oak trees.

BR-8 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

BR-9 Prior to issuance of grading and construction permits for grading improvements and individual lot development, the "project limits" shall be clearly delineated on all construction plans, along with locations of sturdy, high-visibility fencing to be installed in the field at the boundary of the "project limits". No construction (including storage of materials) shall occur outside of the "project limits". Fencing shall remain in place until final inspection. Project design shall not result in the removal of oak trees.

Cultural Resources

CR-1 Prior to issuance of grading and construction permits, the applicant shall show the proposed location of the waterline. The waterline shall be located adjacent to the western property boundary to avoid impacts to known archaeological deposits.

Wastewater

WW-1 Prior to issuance of grading and construction permits, the applicant shall submit soil borings showing adequate separation between leach lines and the groundwater table. If soil conditions to not permit a standard leach field, the applicant shall submit plans for an engineered wastewater system that meets Basin Plan criteria for on-site systems.

Water

W-1 Prior to issuance of building permits, construction plans shall include the following indoor water conservation measures: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels shall include the following outdoor conservation measures: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

12. TRANSPORTATION/ CIRCULATION - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is accessed from Heidi Place, a local road extending from Zenon Way west of Los Berros Village.

Impact. No new access roads are required to access the proposed parcels. The proposed project is estimated to generate up to 30 trips per day (including the existing primary and secondary residences), based on the Institute of Traffic Engineer's manual of 9.6 average daily trips per primary unit, and 5.4 average daily trips per secondary unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

The proposed project was referred to the County Public Works Department for review. No significant project-specific impacts were identified. Standard County road improvements to Heidi Place are required (September 12, 2003). The continued development of Nipomo, including the proposed project, would increase traffic demands within the South County area. The County has developed the South County Road Fee Program to collect fees to be used towards major road improvement projects within Nipomo and South County.

Mitigation/Conclusion. The proposed project is located within Area 2 of the South County Fee Area. Prior to issuance of permits for future land uses on the project site, the applicant would be required to contribute to the fee program. Implementation of this measure would mitigate potential cumulative impacts to less than significant, and no additional mitigation measures are required.

13. WASTEWATER - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

W-2 Prior to final inspection, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). **Prior to permit issuance**, the measure(s) to be used shall be shown on all applicable plumbing plans.

**DEVELOPER'S STATEMENT FOR THE
HILTON PARCEL MAP; S030032P**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

BIOLOGICAL RESOURCES

BR-1 Prior to recordation of the final map, the applicant shall enter into an open space agreement granting an open space easement in perpetuity to the County in a form approved by County Counsel for the area of Pismo clarkia (*Clarkia speciosa ssp. immaculata*) habitat shown on the proposed parcel map, and shall show the existing agricultural road located along the western property boundary (Exhibit C). The easement shall be set aside as open space in perpetuity for its value as habitat for Pismo clarkia. No structures, grading, site disturbance, native vegetation removal, vehicle use or storage, introduction of nonnative plants, discing or any other action likely to negatively affect the Pismo clarkia, its potential pollinators, or surrounding habitat shall occur within the open space easement, with the exception of the existing agricultural road, mowing for fire safety, seasonal livestock grazing, and approved water supply easements.

Grading and trenching activities associated with the installation of the waterline shall only be permitted within the months of **November through February** to avoid take of Pismo clarkia. Topsoil of trenched area shall be stockpiled and set-aside during grading and reapplied over graded areas (this applies to the water line only). Mowing for fire safety and livestock grazing shall be limited to **September 1 through March 1**. The existing agricultural road shall not be paved.

Monitoring: The Planning and Building Department shall verify compliance.

BR-2 Prior to issuance of building and construction permits for individual lot development, the applicant shall submit documentation from the California Department of Fish Game permitting take of individual Pismo clarkia plants.

Monitoring: The Planning and Building Department shall verify compliance.

BR-3 For the life of the project, the applicant agrees to allow the County, a land conservancy, resource agency or other appropriate entity, the right to enter the open space area, shown on the final exhibit to the open space agreement, to ensure compliance with the easement restrictions and to assess the Pismo clarkia population. However, prior to entering the

open space area, the County, land conservancy, resource agency, or other appropriate entity shall give 72-hour written "notice of intent" to visit the site.

Monitoring: The Planning and Building Department shall verify compliance.

- BR-4 Prior to issuance of building and construction permits for individual lot development,** the applicant shall submit to the County Department of Planning and Building a copy of the Memorandum of Understanding (for maintenance of the Pismo clarkia) agreed to between the property owner and the California Department of Fish and Game.

Monitoring: The Planning and Building Department shall verify compliance.

- BR-5 Prior to commencement of ground disturbing activities,** the applicant shall install a permanent fence along the perimeter of the easement areas. The fence shall be maintained in good working order for the life of the development.

Monitoring: The Planning and Building Department shall verify compliance.

- BR-6 Prior to issuance of grading and construction permits,** all coast live oak trees on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface. No coast live oak trees are authorized for removal.

Monitoring: The Planning and Building Department shall verify compliance.

- BR-7 Prior to issuance of grading and construction permits,** the applicant shall submit plans showing the proposed location of the waterline, which shall not be located within the root zone of coast live oak trees.

Monitoring: The Planning and Building Department shall verify required elements on plans, and shall verify compliance in the field.

- BR-8** The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much

more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Monitoring: The Planning and Building Department shall verify compliance.

BR-9 Prior to issuance of grading and construction permits for grading improvements and individual lot development, the "project limits" shall be clearly delineated on all construction plans, along with locations of sturdy, high-visibility fencing to be installed in the field at the boundary of the "project limits". No construction (including storage of materials) shall occur outside of the "project limits". Fencing shall remain in place until final inspection. Project design shall not result in the removal of oak trees.

Monitoring: The Planning and Building Department shall verify required elements on plans, and shall verify compliance in the field.

CULTURAL RESOURCES

CR-1 Prior to issuance of grading and construction permits, the applicant shall show the proposed location of the waterline. The waterline shall be located adjacent to the western property boundary to avoid impacts to known archaeological deposits.

Monitoring: The Planning and Building Department shall verify required elements on plans, and shall verify compliance in the field.

WASTEWATER

WW-1 Prior to issuance of grading and construction permits, the applicant shall submit soil borings showing adequate separation between leach lines and the groundwater table. If soil conditions do not permit a standard leach field, the applicant shall submit plans for an engineered wastewater system that meets Basin Plan criteria for on-site systems.

Monitoring: The Planning and Building Department shall verify receipt of required documentation and compliance in the field.

WATER

W-1 Prior to issuance of building permits, construction plans shall include the following indoor water conservation measures: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels shall include the following outdoor conservation measures: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

Monitoring: The Planning and Building Department shall verify receipt of required documentation and compliance in the field.

W-2 Prior to final inspection, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to ½" diameter). Prior to permit issuance, the measure(s) to be used shall be shown on all applicable plumbing plans.

Monitoring: The Planning and Building Department shall verify compliance.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Franklin D. Hilton
Signature of Owner(s)

10-5-05
Date

FRANKLIN D. HILTON
Name (Print)

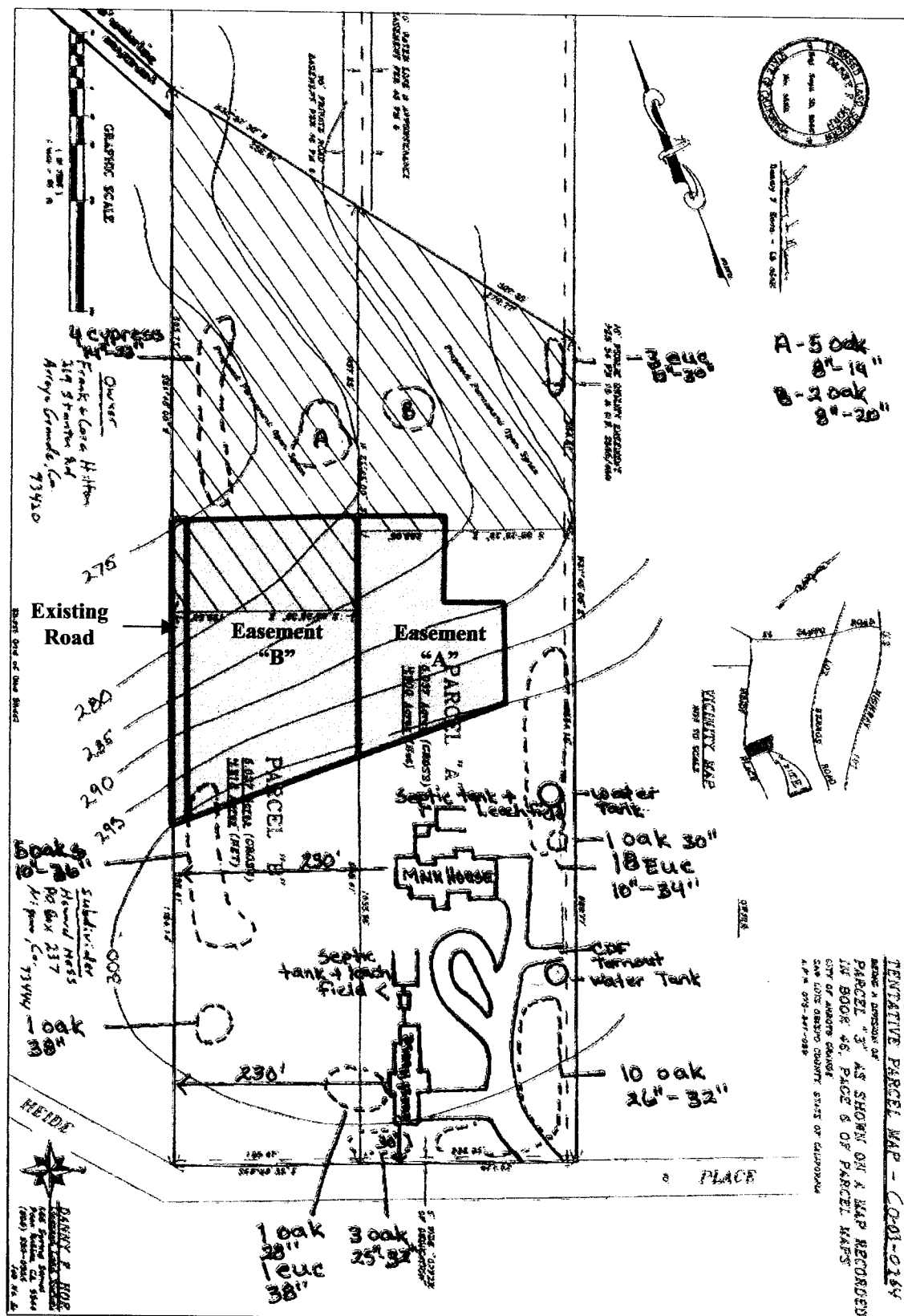
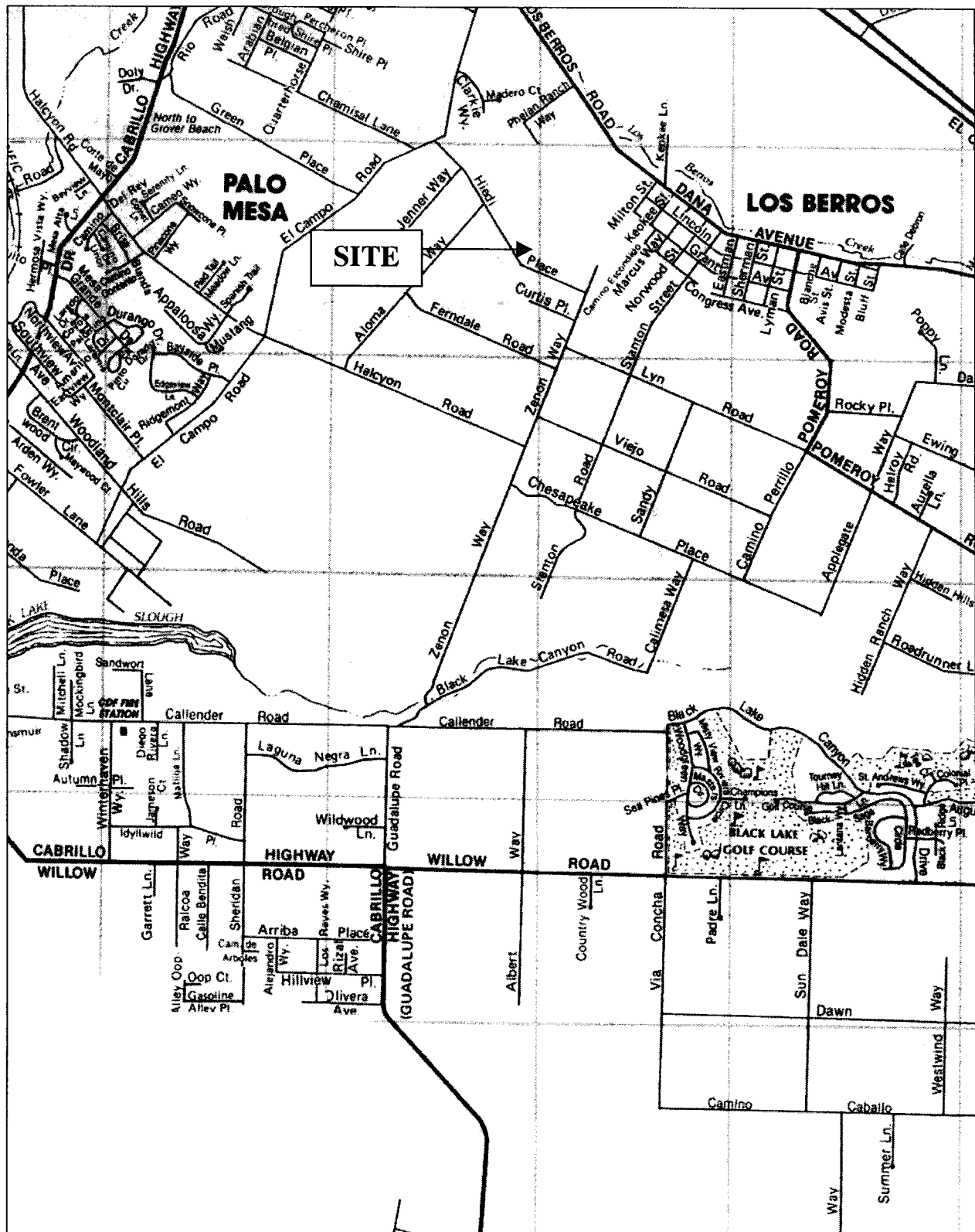


EXHIBIT C

8-15



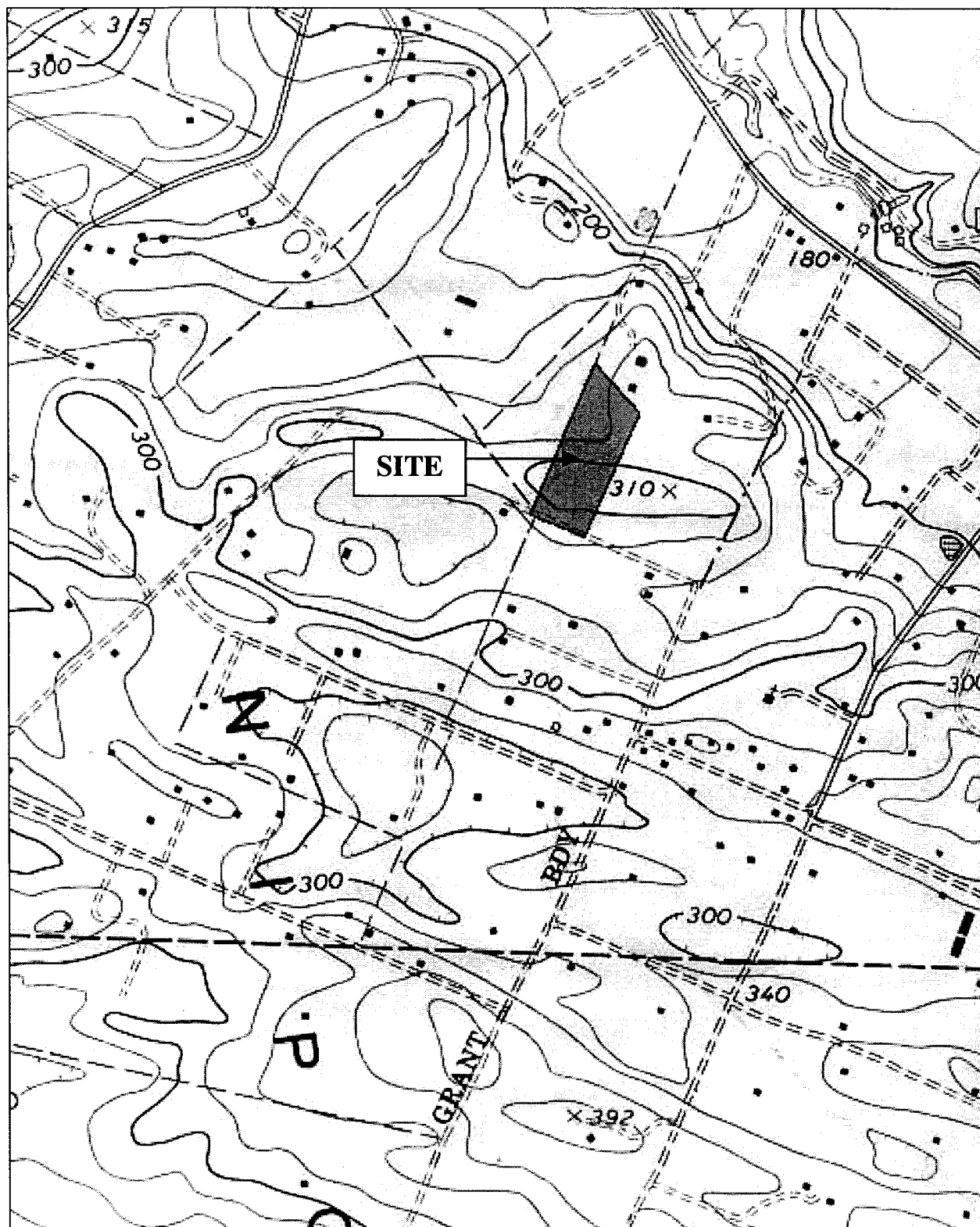
Source: Compass Maps



NORTH
Not to Scale

PROJECT VICINITY MAP
FIGURE 1

8.76



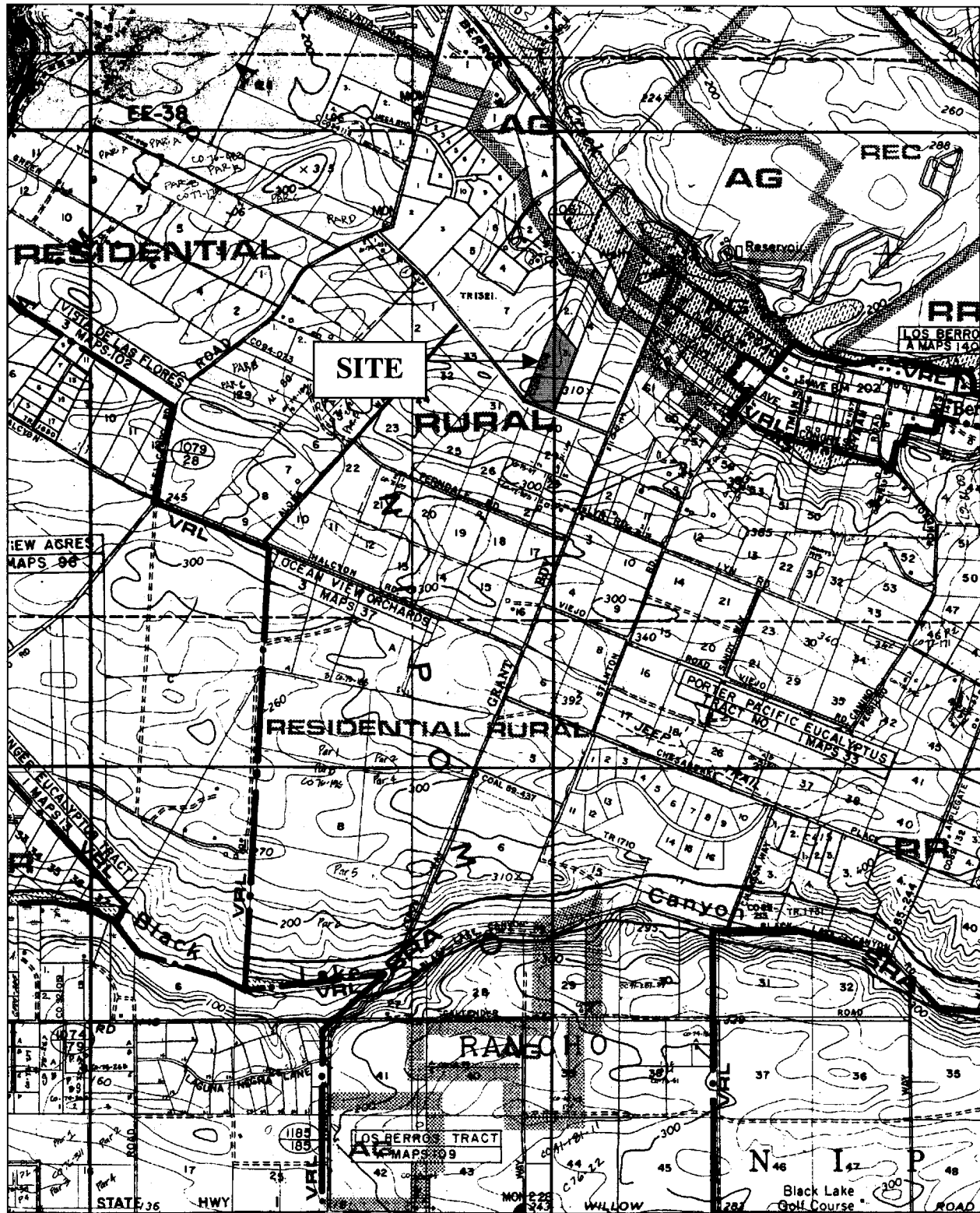
Source: USGS Quadrangle



NORTH
Not to Scale

USGS LOCATION MAP
FIGURE 2

8-177



Source: County of San Luis Obispo



NORTH
Not to Scale

LAND USE CATEGORY MAP
FIGURE 3



Morro Group, Inc.

PROPOSED PARCEL MAP
FIGURE 4

8-179

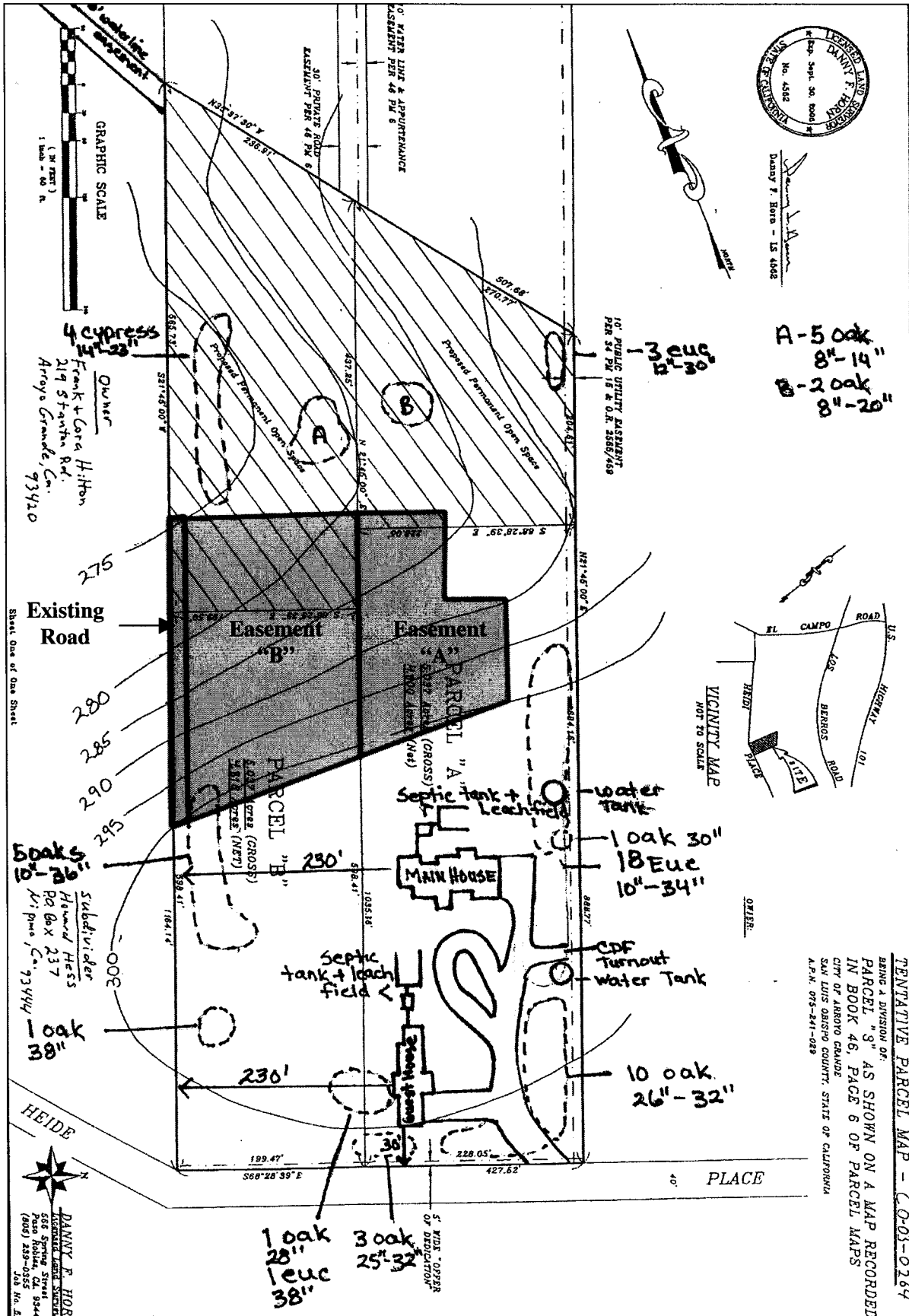
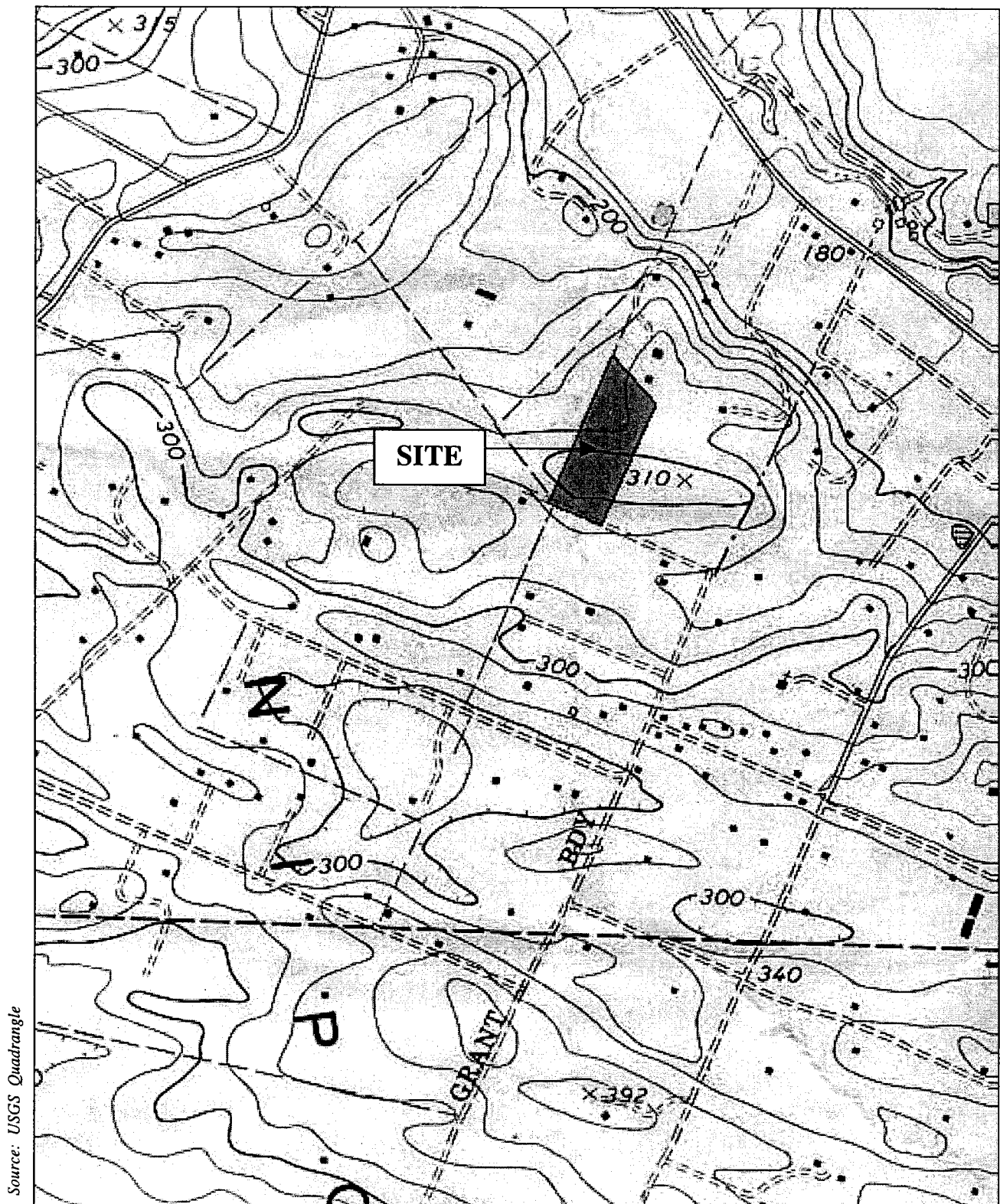


EXHIBIT C

8-50



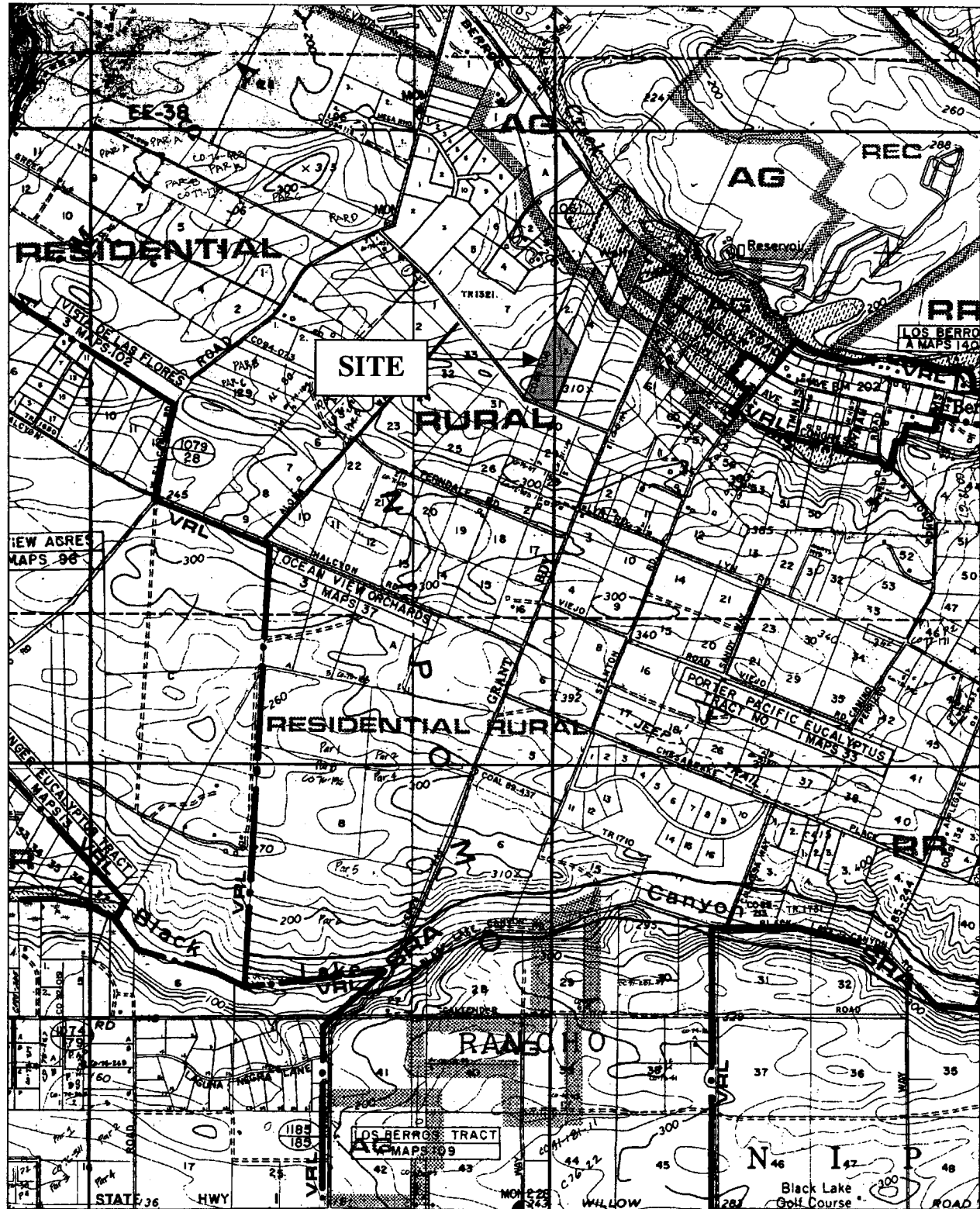
Source: USGS Quadrangle



NORTH
Not to Scale

USGS LOCATION MAP
FIGURE 2

7-81



Source: County of San Luis Obispo



NORTH
Not to Scale

LAND USE CATEGORY MAP
FIGURE 3



Morro Group, Inc.

**PROPOSED PARCEL MAP
FIGURE 4**